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DRUG THREAT TO ARIZONA AND THE SOUTHWEST BORDER

SATURDAY, SEPTEMBER 10, 1983

U.S. SENATE, SUBCOMMITTEE ON TREASURY, POSTAL SERVICE, AND GENERAL GOVERNMENT, COMMITTEE ON APPROPRIATIONS, AND THE HOUSE AND SENATE DRUG ENFORCEMENT CAUCUS AND BORDER CAUCUS,

Washington, D.C.

The Subcommittee on Treasury, Postal Service, and General Government of the Appropriations Committee and the House and Senate Drug Enforcement Caucus and Border Caucus met jointly at 9 a.m., in the City Council Chambers, 200 West Washington St., Phoenix, Ariz., Hon. Dennis DeConcini, presiding.

Present: Senators DeConcini, Paula Hawkins of Florida, and Pete Wilson of California.

Also present: Representatives Glenn English of Oklahoma and James McNulty of Arizona.

CONGRESSIONAL WITNESSES

OPENING STATEMENT OF SENATOR DECONCINI

Senator DeConcini. The subcommittee will come to order. Today, the Senate Appropriations Subcommittee on Treasury, Postal Service, and General Government is holding a hearing with members of the Senate Border Caucus, the Senate Drug Enforcement Caucus, and invited Members of the House of Representatives to discuss the drug smuggling threat to the southwest borders with a number of key Federal, State, and local law enforcement officials.

There is no question that the increased law enforcement presence in the southeastern corridor of the country has caused a shift in drug smuggling activity to the Southwest. The subcommittee hopes to determine the exact nature and magnitude of the drug threat to Arizona and other southwestern border States and what specific actions are being taken by both Federal and local officials to attack the problem.

INTRODUCTION OF COLLEAGUES

We are delighted to have with us the distinguished Senator from Florida and chairman of the Senate Drug Enforcement Caucus, Senator Paula Hawkins, who has been a leader in the Senate in our war against drug trafficking. Also joining us is another of my colleagues in the Senate, Senator Pete Wilson, of California, who is a member of both the Senate Border Caucus and the Drug Enforce-

ment Caucus. We are also honored to have Congressman Glenn English, chairman of a major House Government Operations Subcommittee that has spent the last 18 months reviewing the Federal Government's drug interdiction program and working with me to develop a coordinated drug interdiction plan for attacking the drug problem. Congressman English deserves a lion's share of the credit for bringing military equipment into the war against drugs and for focusing national attention on the drug smuggling threat.

We have a full lineup of important witnesses today, beginning with Congressman McNulty, my good friend who represents the Fifth District of Arizona and who is a member of the newly formed House Border Caucus. Then we will hear detailed testimony from a current drug trafficker from Mexico who has agreed to appear in disguise to answer questions about drug trafficking activities across the border and those groups that are involved. This witness will be in the custody of Mr. Frank Navarrete, director of the Arizona Criminal Intelligence System Agency, and Mr. Stephen Neely, attorney for Pima County, Ariz. The remainder of the witnesses in order of appearance will be:

First, Mr. Richard Johnson, Special Agent in Charge of the Drug Enforcement Administration's Phoenix Field Office, and Mr. Peter Nunez, U.S. attorney, southern district of California and attorney for the Southwest Drug Interdiction Task Force.

Second, a panel of witnesses from the U.S. Customs Service, including: (a) Commissioner of Customs, William von Raab; (b) Southwest Regional Customs Commissioner, Donald Kelly; and (c) Tucson Customs Air Support Branch Chief, Tim Millhouse.

Third, Dr. Lawrence J. Korb, Assistant Secretary of Defense for Manpower, Reserves, and Logistics.

Fourth, Horace Cavitt, Vice President Bush's Coordinator for the Southwest Region of the National Narcotics Border Interdiction System [NNBIS].

Before we begin, I want to take this opportunity to thank Senator James Abdnor, chairman of this subcommittee, who was kind enough to allow me to chair this important hearing in my State. Senator Abdnor and I have worked together in the spirit of bipartisanship to provide Customs and other law enforcement agencies with the resources to wage war on the drug trafficking problem.

Senator Hawkins and the other members of the panel may want to make brief opening statements before we hear from our first witness, Congressman McNulty.

Senator Hawkins.

Before that, does anyone care to make any other opening statements here before the hearing, or would you like to pass? Do you want to make a statement now, or do you want to submit it for the record and proceed?

STATEMENT OF SENATOR PETE WILSON

Senator WILSON. Thank you, Mr. Chairman the point you make about the success of the South Florida Task Force is one that I think will be attested to further today when we hear from the U.S. attorney in San Diego, Mr. Peter Nunez.

The success there has, as you have accurately pointed out, shifted the direction of drug fighting efforts to the Southwest. As it hap-

pen, Mr. Nunez in San Diego is in a different region than the Southwest. But your comment was quite true, along with that of Congressman English, that we have this almost 2,000-mile long land border existing from San Diego to Brownsville, and every possible technique that's being used successfully elsewhere needs to be considered here. There's some other ships coming up through the Yucatan Passage. Vehicles are being used. International airports. Probably the largest volume though is coming through the air.

But I think what it simply points up is the tremendous immensity of this problem, and the need for far greater assistance than the nation can give in this area.

Senator DeCONCINI. Congressman English, do you care to make any other statement before opening?

STATEMENT OF REPRESENTATIVE GLENN ENGLISH

Congressman ENGLISH. Once again, to thank you very much, Senator DeConcini, for inviting me for coming, and I do appreciate it.

Thank you for your kind comments, Senator. I want to say that some in Washington have come lately to the drug enforcement issue because of its increasingly sensational nature, but you are not one of those. As a young district attorney in Tucson a few years ago, you were already taking positive action against drugs. You linked together the four border countries in this State to pool your investigative information almost unheard of in those days. That modest effort lead to Arizona joining with Utah, New Mexico, and Colorado in a quad-State effort. That, in turn, was so successful that every other region in the country now has a similar antidrug information sharing coalition, all modeled on your concept.

You have continued your leadership in the Senate on the Judiciary and Appropriation Committees. You and your capable staff have worked with me and my subcommittee for over a year to develop some answers at the congressional level. I am grateful for your invitation to join you today here in Phoenix. I hope this demonstrates to the public that the House and Senate are joined together in a bipartisan effort to attack drugs.

Senator Hawkins has also been a leader in Washington, taking every opportunity to direct public and congressional attention to the illicit drug problem. She has personally provided much of the momentum for the South Florida Task Force effort, and has certainly been an innovator in the area of detection resources.

In the House Government Operations Subcommittee which I Chair, we have conducted seven hearings over the past 18 months, examining Custom's interdiction resources, military assistance under the Posse Comitatus Act, intelligence sharing, and the south Florida effort. In fact, this is not the first House/Senate drug hearing. Senator Hawkins and Senator Chiles joined my subcommittee in Miami last February.

Senator, we have encountered both good news and bad news in this investigation. The good news is that the public and the Government are finally waking up to the huge threat posed by the illicit drug traffic. DOD is getting involved. New administrative structures such as NNBIS, the Florida task force, and the 12 regional drug task forces, have been created.

The bad news is that they don't seem to be working very well yet. There is more cocaine than ever on the streets, and it's purer and cheaper than ever in the past. The Customs Service is woefully underequipped, and interdiction is just going to be a distant goal until we give them decent detection and interdiction resources.

You and I addressed a letter to the White House several months ago containing suggestions for reaching a permanent solution to this lack of resources, and I know we both hope for early action there. Senator Hawkins has personally been urging similar action to increase detection capabilities in the Caribbean area.

Agencies still aren't sharing information between themselves as they must; some still don't even know what the others need!

I hope that this hearing, and others to come, will help to pinpoint the areas that are deficient, and bring that message clearly to the public, to the Congress, and the administration.

Senator DeCONCINI. I am hopeful you will participate in the questioning. I know in the past hearings, that you will, as I know will Senator Hawkins.

Congressman McNulty, we're glad to have you here, and your leadership here. Please proceed.

STATEMENT OF REPRESENTATIVE JAMES McNULTY

Congressman McNULTY. Good morning to you, Mr. Chairman. I thank you, my friends of the Congress, for coming to my State and taking this time out of your busy lives, and I thank you for addressing my problem.

I have a prepared statement that I would like to present for the record.

Mr. Chairman, Madame Chairwoman, and members of these distinguished panels, I am grateful for the opportunity to testify before you today.

I have the honor and privilege of representing the Fifth Congressional District of Arizona, which has as its southern boundary the international boundary with Mexico—approximately 105 miles of it. As such, district five shares a number of common concerns with other congressional districts along the border. I am therefore appearing today also as a representative of the House Border Caucus, at the behest of our chairman, the Honorable Ronald Coleman, of Texas, who is unable to be here. Our caucus was formed just this year, and we are all hopeful that it can become a meaningful forum for dealing with borderland problems—in much the same fashion that the Senate Border Caucus has been successful under the guidance of my good friend Dennis DeConcini.

Drug smuggling and other types of illegal commerce across the international frontier are problems of long standing. They are problems of great proportion to law enforcement officials, and they are threats of severe proportion to citizens of all ages and occupations. The financial profits that can be made in drug smuggling are massive enough to pose a threat to the economic well-being of the entire American population, and to the stability of our political institutions.

We can safely say that the public generally supports effective law enforcement aimed at the suppression of illicit drug smuggling. But the problem is so huge and so complex that it is difficult to

comprehend, and that is how this hearing can be valuable. It can contribute to a better public understanding of the nature and size of this threat, and in doing so, can better enable us, as a nation and a people, to sustain the long campaign that is ahead of us in reaching our parallel goals of significantly reduced drug smuggling and drug abuse.

MEXICAN HEROIN

How profitable is the drug trade? Mexican heroin provides a good example.

A farmer in Sinaloa can derive \$1,000 for the sale of 10 kilograms of opium. After processing, that opium will yield 1 kilogram—about 35 ounces—of Mexican brown heroin, commonly known as "tar." Thus, the approximate value of the raw materials needed for 1 ounce of heroin is \$28.50.

One ounce of tar can be purchased today in Nogales, Sonora, for \$6,000. It can be resold in Tucson tomorrow for \$7,000. In the summer of 1983, the purity of that tar will be in the 40- to 50-percent range.

As that tar moves through the American distribution system, however, it will be cut, or "stepped," perhaps four or five different times—decreasing its purity to 5 percent or even 3 percent. By now, the diluted heroin will weigh 10 ounces, enough to yield approximately 8,000 "papers"—single dosages of about 35 milligrams each—which can then be sold for about \$30 per paper.

At 5 percent—a relatively attractive level of purity in the streets of midwestern America today—the ultimate yield in dollars for this ounce of Mexican brown will exceed \$200,000. It will have been marked up \$194,000 since its purchase in Nogales—an astonishing 3,233 percent.

It is this nearly obscene scale of profitability that continues to attract organized crime elements and new criminals on both sides of the international boundary to the drug trade.

MEXICAN-SUPPLIED HEROIN

Mexican heroin remains predominant in the American Midwest and is a major source of supply to the west coast and Texas. The Drug Enforcement Administration asserts that Mexico accounted for 36 percent of the heroin in the U.S. market in 1981—approximately 1.4 metric tons of a total of some 4 metric tons supplied to this country that year. The DEA further asserts that a substantial fraction of that heroin entered this Nation through Tucson, Phoenix, and Albuquerque from its fields of origin in Sinaloa, Durango, and Chihuahua.

To properly understand the history of this illegal commerce, it is important to note that the drug market has waxed and waned depending upon the level of law enforcement resources devoted to its suppression, and other factors such as demand, consumer preference, and availability from other foreign sources. Our drug enforcement resources are finite, and a shift in their focus can lead to dramatic changes in drug trafficking patterns. It is noteworthy that the DEA, the major Federal agency concerned with the suppression of illicit drug traffic, testified as late as 1970 that "heroin from

Mexico is not considered a major problem. New York City is the key point of entry for heroin distribution throughout the United States."

Experts believe that it was the breaking of the so-called French connection in 1972 that first shifted heroin growing and distribution patterns toward Mexico. Suddenly, Mexican brown heroin, or "mud," was in great demand—just as Mexican marihuana had been for some years. The border drug trade flourished through 1976.

UNITED STATES-MEXICAN CRACKDOWN ON DRUG TRADE

By 1977 and 1978, the joint efforts of the United States and Mexican Governments were beginning to yield results in locating and eradicating opium poppy fields and marihuana pastures. The paraquat spraying program, new interdiction programs, and stepped-up prosecution of major traffickers were all working to make drugs from the southwestern border area less popular. Demand from Mexican marihuana and heroin in the U.S. markets dwindled, and drug consumers' preference shifted again—this time toward Colombia for marihuana and back toward the Middle East for heroin as new supply lines were established. South American cocaine has since become an enormously lucrative product as well.

The law enforcement community responded, and the result has been an effective reconcentration of drug enforcement resources to southern and central Florida. These efforts are meeting with varying degrees of success, as I'm sure the Senator from Florida will attest, but it is now apparent that one side effect of this most recent shift in drug enforcement focus has been to induce major traffickers to return to the Southwest.

Seizures by the metropolitan area narcotics unit, a joint law enforcement entity of the Pima County Sheriff's Department and the city of Tucson Police Department, have shown a dramatic increase in recent months. In 1981, the division seized 470 grams of Mexican brown heroin; in 1982, the figure rose to a record 1,155 grams. Seizures this year to date are unavailable, due to backup work in the metro unit's lab, but officials there expect the 1983 haul to exceed last year's.

1984 INCREASE IN MEXICAN HEROIN

Economic conditions in Mexico exacerbate the difficulty our law enforcement community has in carrying on successful drug suppression programs. Official United States-Mexican cooperation is vital to these operations, and cutbacks for austerity affect law enforcement along with other Mexican governmental functions. Partly as a result, experts are predicting a banner year for Mexican heroin in 1984, possibly even of epidemic scale.

On-the-ground experience confirms this trend. Metro unit agents in southern Arizona have noted a growth in the number of sources that are willing to make Mexican "mud" available to undercover agents. Additionally, they indicate that the quality of the contraband is relatively high by historical standards.

A comprehensive program for the suppression of illicit narcotic trade must have elements of attack on three fronts: On the streets,

at the source of supply, and on the transportation system that connects the two.

Street-level trade must continue to be a primary focus of local, State, and Federal authorities, principally the DEA. Cooperation and coordination of their activities is a continuous requirement if retail drug trade is to be discouraged.

A second element must be meaningful cooperative arrangements between the United States and those foreign governments willing to undertake joint programs. I have in mind spraying programs and crop-substitution programs that have effectively reduced supplies before they enter the mainstream of illicit commerce.

INTERDICTION PROGRAM ON TRANSPORTATION OF ILLICIT DRUGS

The third leg of an effective drug enforcement program is the one most lacking today—an interdiction program to attack the transportation systems that provide an indispensable link between producer and consumer. To that end, I believe the DeConcini-English unified border enforcement strategy is an excellent model. It is an efficient and cost-effective way of mobilizing Federal resources to suppress the flow of drugs into this country. I believe it is incumbent upon Congress to insure that the surface- and air-detection capabilities called for in the DeConcini-English plan are made available to the Customs Service, which has the expertise and experience to use them most effectively.

The unified border enforcement strategy calls for the deployment by the Customs Service of six P-3A aircraft. The P-3A is especially suited for operation at relatively low altitudes—as low as 1,000 feet, in fact—and its radar is sophisticated enough to detect a periscope that has broken the surface of the water. The plane already has established a good track record in interdicting seaborne illicit drug traffic in the waters off the California coast. It is believed that they could be equally effective in the flat desert surfaces of the intermountain areas—detecting vehicle movements by radar and, through communication hookups, acting to apprehend and investigate suspected traffickers.

The unified border enforcement strategy also calls for eight Army C-12 tracker planes, which are well suited for ground surveillance. The C-12's rate of climb allows it effective deployment over very mountainous terrain, its radar is sufficiently powerful to detect ground movements, and it performs well at relatively modest air speeds.

Supplemented by the four Blackhawk Helicopters called for in the plan, these airplanes could be deployed for virtual border-to-border coverage, and would be effective over any kind of terrain.

C³ FUNCTIONS IN TUCSON

It is true that Tucson, Ariz., has been mentioned as a prime location for the C³ functions—command, control, and communication—of this proposed operation, and I would be falsely modest if I did not indicate that our city would be well suited to sustain and support these services. I am supremely confident that Tucson could provide the finest in community and logistical support services, insuring the success of the unified border enforcement strategy.

It is time for all of us to get serious about drug smuggling. We need not and we should not lose control of our border to the cocaine and heroin smuggler. The technical means are available for us to bring about the capability to seize, arrest, and prosecute the individuals who persist in this antisocial, criminal, and dangerous activity.

But such an enterprise can only be sustained by strong public and congressional support. I congratulate the subcommittee and my distinguished friends on the dais for taking the lead in building vital public understanding of these difficult issues, and I wish to express my appreciation to you for this opportunity to be part of the process. Thank you.

Senator DECONCINI. Congressman McNulty, thank you very much, and thank you for setting the stage on the economics involved in this and just what it amounts to is a \$1,000 purchase leading up to in excess of \$240,000 sale, and maybe more than that.

Are there any questions or statements concerning the Congressman's presentation? Senator Hawkins?

DESTINATION OF HEROIN ENTERING ARIZONA

Senator HAWKINS. I have some questions. What happens to the heroin once it enters Arizona? Do you know?

Congressman McNULTY. Well, it's transshipped.

Senator HAWKINS. Do you know how much is consumed into the Midwest?

Congressman McNULTY. Yes.

Senator HAWKINS. At a distribution point?

Congressman McNULTY. And up the California and Pacific coast.

Senator HAWKINS. Up to California.

Senator DECONCINI. If I can interrupt, Senator Hawkins, we will have some intelligence officers and the prosecutors here. The next witness is maybe able to define more specifically where that goes. They have followed it for some years.

Senator HAWKINS. Thank you, Congressman, for coming.

Anything else, Senator Wilson? Congressman English?

Congressman ENGLISH. I would like to commend you for a very fine statement. I thought it was an excellent statement, and I know that the Border Caucus and the House and the Senate is carrying on excellent work. We certainly want to mention it.

Congressman McNULTY. Thank you.

Senator DECONCINI. Thank you, Congressman McNulty. Would you join us for the rest of the hearing, please?

STATEMENT OF SENATOR PAULA HAWKINS

Senator HAWKINS. Good morning. It's a pleasure to be here in Phoenix, I want to thank Senator DeConcini for initiating this important investigative hearing into the drug smuggling threat to the southwest border. The people of Arizona are fortunate to have such an effective, well-respected representative in the U.S. Senate.

During his term as prosecutor for Pima County, Senator DeConcini lead the fight against organized crime in Arizona and also established the highly successful Rocky Mountain Intelligence Center. Through establishment of the Border Caucus, his cochair-

manship of the Senate Drug Enforcement Caucus and his strong leadership in the Senate Appropriations Committee, drug enforcement is now a Senate priority. Senator DeConcini promoted the repeal of legislation which prohibited the Department of Defense from assisting law enforcement.

Today the military contributes vital equipment, intelligence, personnel, and training to the State and local war on drugs. No one is better at detecting hostile air and sea traffic approaching the United States than the military. It's the Armed Force's job and they do it well. Their role in the defense of the southwest border has been vital. In the war on drugs, traffickers are the enemy of every community and every family.

No threat strikes America as savagely and frequently as narcotics. My home State of Florida, once a vacation paradise for millions of Americans, became the victim of violent cocaine cowboys and thousands of other criminals involved in drug trafficking. Criminals had virtually taken over and terrorized all of south Florida. Six of the 11 most crime ridden communities in the Nation were in Florida, 28 percent of the murders in Miami were committed by machine guns, Time Magazine cover story declared that Miami was the Nation's "Murder Capitol."

VICE PRESIDENT'S TASK FORCE ON SOUTH FLORIDA

In February 1982, at my request, President Reagan established the Vice President's Task Force on South Florida. Under the personal direction of Vice President Bush, south Florida received additional Federal judges, more prosecuting attorneys, and hundreds of additional law enforcement personnel. Help was solicited and received from the Department of Defense including the Navy, the Army, the Air Force, and the Marines.

The results of the south Florida task force have been impressive. Drug arrests are up 27 percent. Marihuana seizures are up 23 percent. Cocaine seizures are up 54 percent. In the past 16 months, the task force seized nearly 3 million pounds of marihuana and more than 17,000 pounds of cocaine. The street value of those drugs is about \$5 billion. As a result of the task force's effectiveness, drug smuggling increased up and down the Atlantic coast, in the Gulf of Mexico, across the Mexican border and into California.

NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM (NNBIS)

In response to this threat, President Reagan, on March 23, 1983, announced the establishment of the National Narcotics Border Interdiction System [NNBIS] to protect our borders. It will utilize the general principles and the most successful interdiction techniques of the south Florida task force. Today, we will investigate the drug smuggling threat to the southwest border.

Recent intelligence reports project the 1983 drug threat for the amounts of drugs entering the southwest region to be nearly one-half a ton of heroin, over 6 tons of cocaine and over 2 million pounds of marihuana. This hearing is a valuable opportunity to learn more about this threat and our resources to combat it.

I look forward to hearing from today's witnesses. They represent thousands of local, State, and Federal men and women courageously engaged in our Nation's battle against drugs.

PREPARED STATEMENTS OF MEMBERS OF CONGRESS

[The prepared statements of various Members of Congress follow:]

Prepared Statement of Hon. Lloyd Bentsen, U.S. Senator From Texas

Mr. Chairman, I am pleased to submit a statement to accompany this hearing on the drug threat to the Southwest. It is indeed a pernicious threat. It creates crime, corrosive values, and supports an underground, untaxed economy, which threatens legitimate businesses and enterprise. I commend your convening the hearing, and hope that it will help stimulate interest in the problem and increase the effectiveness of the government's response to it.

I want to call your attention to a bill I have introduced, S. 1146, the Aviation Drug-Trafficking Control Act. This bill, which I am pleased to say both Arizona Senators have co-sponsored, is designed to bring another federal agency's resources into the fight against drug-smuggling—the Federal Aviation Administration's.

Today, the Federal Aviation Administration may only suspend a pilot's certificate for one year and impose a \$1,000 civil penalty upon persons convicted for illegal drug-trafficking. This is not sufficient, particularly when we consider the scope of the problem.

The statistics are alarming. According to the Drug Enforcement Agency estimates, in 1981, 50 percent of the cocaine, 35 percent of the marijuana, 75 percent of Southwest Asian heroin, and 80 percent of the dangerous drugs entering the United States are smuggled in by air. According to the Customs Service, 1.3 million pounds of drugs—cocaine, marijuana, heroin, methaqualone, and others—will enter the country by private aircraft this year. Ninety percent of that will come across our southern border.

S. 1146 would require revocation of an airman's certificate for five years if the holder is convicted of violating any law relating to controlled substances (other than a law relating to simple possession) and the FAA Administrator determines that the certificate holder knowingly served as an airman in connection with the violation.

The bill also empowers the Administrator to revoke an airman's certificate for up to five years but not less than one if he determines that the holder knowingly served as an airman in connection with the transportation of a controlled substance, even if the holder was not previously convicted for a drug-related offense. Before an airman's certificate could be revoked, however, the holder must be given notice and an opportunity to answer the charges. He would also have the right of appeal to the courts. The provision is consistent with numerous judicial decisions which have held that a license is a privilege and not a right, and may therefore be revoked when it has been abused. Current law gives the Administrator the authority to suspend or revoke a license for safety violations, and, as demonstrated by the numerous drug-related crashes—there were 491 between 1980 and 1982—smuggling drugs by air is clearly dangerous.

The bill also gives the Administrator the authority to revoke a certificate of registration for up to five years but not less than one if he determines that the owner has knowingly permitted the aircraft to be used to transport a controlled substance.

S. 1146 has been unanimously reported by the Commerce Committee to the full Senate, which will take it up soon after we reconvene. The bill will not solve the drug problem in this country. What it will do, however, is put aircraft owners and pilots on notice that a license to fly is not a license to smuggle drugs.

PREPARED STATEMENT OF HON. RUSSELL B. LONG U.S. SENATOR FROM LOUISIANA

Mr. Chairman and members of the Senate Appropriations Subcommittee on Treasury, Postal Service and General Government; the Senate Drug Enforcement Caucus, and Senate Border Caucus, I would like to express my support for the efforts undertaken today. As a member of the Senate Border Caucus, I share with my colleagues a common interest in these hearings, for my state also serves as the point of entry for much of the illegal drug traffic in this nation. As a border state, adjacent to the Gulf of Mexico, with hundreds of miles of sparsely populated and often marshy coastline, Louisiana finds itself as an increasingly favored point of entry for

many who seek to profit from the illegal drug trade. The resultant harm to Louisiana and the nation as a whole cannot be underestimated. I also share with my colleagues a firm belief that the increasing use of illegal drugs in this country constitutes a major threat to the well being of this nation. We cannot long endure a system in which the sale of illegal drugs flourishes and which often views the use of illegal drugs as an accepted form of behavior. Moreover, we cannot afford to allow the use of illegal drugs to destroy the lives of our young people. Illegal drug trafficking is a serious affront to our nation and us all.

I have been encouraged by the increased emphasis placed by the federal government and law enforcement authorities on halting the flow of illegal drugs into this country. The efforts in that regard by the Departments of Justice, Treasury and Defense must be commended. Similarly, the Vice President's National Narcotics Border Interdiction System is destined to play an increasingly important role in that effort. It is, therefore, discouraging to read in recent press accounts that in spite of heightened and successful enforcement efforts, the flow of certain illegal drugs into this country has actually increased.

It is my hope that this hearing will provide us with the information necessary to make informed judgments about what needs to be done legislatively to assist law enforcement authorities in their battle against illegal drug trafficking. I look forward to reviewing the testimony presented here today and to working with my Senate colleagues in this most important effort.

PREPARED STATEMENT OF HON. CHARLES E. BENNETT, U.S. REPRESENTATIVE FROM
FLORIDA

Mr. Chairman, I appreciate having the opportunity to submit this statement and am glad to commend your subcommittee for vigorously addressing what I believe to be the most serious domestic problem facing our country today, drug abuse. The havoc that drug smuggling and drug abuse wreak on our country is measured in enormous human suffering and in staggering costs. Parents are distraught and our law enforcement agencies are overwhelmed. This country is engaged in a war against a menace which threatens to erode one of our most precious resources, our young people. The fabric of our society starts to unravel when organized mobs, ruling by intimidation and murder, gain powers that in fact threaten our democratic society and our government.

I would like to address the urgent need for continuing cooperation among civilian agencies, and between military and civilian law enforcement agencies. I am most familiar with the success of the South Florida Task Force in drug interdiction. Therefore, the Administration's creation of additional task forces across the country and the creation of the National Narcotics Border Interdiction System are especially encouraging responses to continuing bipartisan concern that Florida successes not be wasted.

Although the Administration has not established the so-called "drug czar" position within the Federal government, which I favor, these actions by the Administration should go a long way toward meeting the urgent need for a coordinated, efficient, and nationally directed drug policy. Unfortunately, regardless of the effectiveness of the Task Forces and the Border Interdiction System, they are still not part of statutory language and can be changed by succeeding administrations.

I have long advocated a nationally coordinated drug interdiction policy to use the full resources which this country can bring to bear on the war on drugs. Previous to 1981, the government was trying to fight a war against drug abuse while allowing available and valuable equipment, personnel, and intelligence information to go unused. Therefore, with others, I introduced legislation to amend the Posse Comitatus laws to allow the military to assist in drug interdiction. The Posse Comitatus amendments gave ability to national efforts such as the Task Forces and the Border Interdiction System to fully utilize generous assistance from both military personnel and equipment. Vice President Bush and Admiral Dan Murphy have done an excellent job in taking advantage of the new opportunities which came as a result of the Posse Comitatus amendments. Moreover, they have ably directed use of civilian resources within the Federal government, coordinating the multitude of departments, agencies, and bureaus which have some jurisdiction over various parts of our drug interdiction efforts.

I want to take this opportunity to strongly urge both military and civilian authorities to continue their cooperation in this area. It would be a tragedy of the greatest proportions if even one battle in the war on drugs were lost because of bureaucratic turf battles.

I would like to make one last recommendation. I have introduced H.R. 41 which would require that none of the funds appropriated under the Foreign Assistance Act of 1961 go to countries which are known sources of illicit drugs unless the President certifies to Congress that the government of that particular country is fully cooperating with U.S. efforts to stop the flow of illegal drugs from that country. Although a similar law is already on the books (Section 133 of Public Law 97-377), it only allow the President to cut off foreign aid to a country if he certifies that the country is not cooperating with the U.S. It does not require that he ascertain whether they are cooperating or not. If, by some chance, he finds out that they are not, he may cut off aid. Unfortunately, we are all well aware of the power of bureaucratic inertia. My bill, on the other hand, would require that the President certify that each known source country be fully cooperating before any foreign aid money can be given to them. This is analogous to the law on the preservation of human rights. I believe that this weakness in present laws on drugs is important and that the statute needs to be strengthened, as H.R. 41 provides.

Thank you very much for allowing me this opportunity to submit this statement to your subcommittee on such an important topic, and I am sorry that I was unable to be with you in person.

NONDEPARTMENTAL WITNESSES

ARIZONA PROSECUTORS DISTRICT ASSOCIATION

STATEMENT OF STEVE NEELY, CHAIRMAN

INTRODUCTION OF WITNESS

Senator DECONCINI. We will now hear from Frank Navarrette, director of the Arizona Criminal Intelligence System Agency, and Steve Neely, Pima County Attorney, who is also chairman of the Arizona Prosecutors District Association.

He is also a member of the National District Attorneys Association, who has spent a lot of time in this effort.

Gentlemen, thank you for being with us. Whoever cares to lead off, Steve?

Mr. NEELY. I have some time constraints this morning, Senator, so if you will bear with me.

Senator DECONCINI. I want to thank you for coming down from Tucson. I know schedulewise you had a few things going on last night that I joined you with, and you have a couple things today. But we are grateful that you are here.

Mr. NEEDLY. Thank you very much. Senator and members of the committee, I would like to characterize my testimony this morning before I begin giving it.

SUCCESSFUL INTERDICTION EFFORTS IN FLORIDA

I am a local official. I have been a local prosecutor for going on 15 years now, and so some of my perspectives are the perspectives of a local prosecutor. I am extremely impressed with some of the plans that have been aired here this morning, and some of the proposals that individual members of your group have been involved in making. And I am certainly hopeful that the rest that we've gotten from the last few years at the expense of the people of Florida, will not be terminated as a result of the success of the efforts in Florida of the Federal Task Force.

But naturally, I'm here because I'm concerned that the success of that Task Force is going to be enjoyed in Florida at the expense of the citizens of Arizona.

Very clearly, when an area is sealed off, or an interdiction effort as effective as the one in Florida has been, we can look at other areas of the country and expect to see an increase in narcotics trafficking in those areas.

We are seeing the beginnings of that increase now in Arizona and anticipate that it is going to continue. When I hear the discussions about the massive interdiction efforts and the massive seizures, particularly in Florida, and the plans for the southwestern

border, obviously as a local prosecutor, I am moved to ask a couple of questions.

PROSECUTION OF DRUG CASES

The first question that I move to ask is if, in fact, such an effort is brought about in the Southwest, particularly in Arizona and particularly in Pima County, Ariz., who is going to prosecute those cases? The second thing that concerns me, of course, because we have rather extensive mandatory sentence laws relating to narcotics and drug entrepreneurship in Arizona, the next question I have is: Where are those people who are the end results of that drug interdiction going to be incarcerated?

And so I would like to give you the perspective of the local prosecutor as it relates to past Federal efforts, and my statements may very well be interpreted by you as tinged with some bitterness, but that's because the rhetoric that you've spoken of here this morning has been the essence of the Federal effort, in my opinion, over the last years.

Senator DeConcini has some firsthand knowledge, and I'll share that with you. When he was county attorney, and shortly after I took over as county attorney in Pima County, we could anticipate that anywhere from 25 to 30 percent of our overall caseload would be drug enforcement related. And I'm talking now about the prosecution of narcotics and drug offenders. I'm not talking about the prosecution of drug-related types of crime.

Back in those days, it was not uncommon to have the most productive prosecutor in the office handle 120 narcotics cases, try 18 or 20 of those, and win most of them. That is an enormous burden on any lawyer, as I'm sure you may be aware.

Today, the shift is, that same productive prosecutor is going to be handling sex crimes or robberies or some type of case to that extent, and the bottom line for me is that the most important single factor in terms of coordinated drug effort is to see that there's adequate prosecution resources at the Federal level provided.

SANTA CRUZ COUNTY

I don't know whether the Santa Cruz County attorney will appear here today. I would strongly suggest that if he doesn't, that you contact him because I think it would be appropriate for all members of this group to be aware of how little is available in terms of assistance of the local prosecutor in dealing with border interdiction cases in Santa Cruz County, which is one of our main ports of entry.

My guess is that you're going to find that in the last 5 years, there have been virtually no cases prosecuted by the U.S. attorney. That is not because the U.S. attorney is not doing the job. That's because the U.S. attorney does not have the resources.

WITHDRAWN SUPPORT FOR FEDERAL DRUG EFFORT

Recently, in anticipation of an upswing in the narcotics problem in the Tucson area, I made a determination that my department

was no longer willing to subsidize the Federal effort, largely because of the absence of resources, and because of the tremendous problems we're having with crime and particularly violent crime in the Tucson area.

And I wrote a letter to the U.S. attorney and the Federal law enforcement agencies. And in the letter, what I stated was we will no longer prosecute cases that involve violation of international borders. We will no longer prosecute cases that involve primarily interstate commerce, and we will no longer prosecute cases that involve exclusive work of Federal officers.

I believe that's a fair distribution of our concurrent jurisdictions. Clearly, we have a tremendous burden at the street level, dealing with those narcotics and drugs that are not interdicted. The result was a four-page letter from the U.S. attorney, expressing his dismay and his concern about the prosecution of those cases, and stating, quite frankly, that he does not have the resources to pick up that load.

It's difficult for me to see how there can be any quarrel with the standards that I have set because it seems clear to me that violation of international borders is a Federal problem and should be prosecuted under Federal jurisdiction. Likewise, that's the truth with Interstate Commerce, and certainly it's the truth with those cases worked by Federal officers.

It's not my desire to be uncooperative. It is my desire to utilize my resources to the benefit of the people of my county. And as you might expect, we have a fairly significant caseload already that relates strictly to the prosecution of local narcotics cases and drug-related cases. The bleedover effect of the Federal failures at the border also particularly in the days when we're anticipating an increase in drug trafficking is going to be immense.

Senator DeConcini, I'm sure, remembers the days when we used to go out and pick up bodies in the desert that were the result of local drug wars. I'm sure that Senator Hawkins is well aware of the impact, for example, on homicide rates in Florida that relate to massive drug transactions.

Those kinds of crimes must, by necessity, be prosecuted at the local level because they are exclusive within our jurisdiction. Therefore, when there's an increase in drug trafficking, we have an increase in drug-related offenses. We have an increase in purely local offenses. We have an increase in homicides and in other things that result from the various wars that exist between the various factions.

So my request to the committee today is that in considering interdiction numbers and in implementing the plans under the Posse Comitatus Act, and all of those that have been endorsed here this morning, that you not fail to consider the bleedover effect.

In Arizona today, the average individual who is sentenced to prison can expect to spend 27 months there. I acknowledge it's crystal clear that most of the individuals who are sentenced to prison probably should be spending more time there.

So as your program begins to work, and as the arrests are generated and the seizures are generated, what I ask that you remember is that if there's a U.S. attorney's office here in Arizona that is badly understaffed, that cannot currently handle the existing case-

load, and certainly is not equipped to handle the dramatic increase, and we cannot subsidize the Federal effort to that extent because the increase in drug trafficking here is going to already have a spillover effect in the local prosecutor's office, and that it's going to overburden us, without us taking on the additional burden of prosecuting those individuals that are interdicted at the border and the ones who were responsible for interstate transportation of those drugs and the individuals who are arrested as a result of Federal casework.

I have a couple of suggestions that I'd like to make, and then I'd be happy to answer any questions. I will defer any questions that relate to the specifics of narcotics enforcement to those people who deal daily with the specifics of narcotics enforcement.

My hope here today was that I could convey to you some of the concerns that we feel as prosecutors not only for the increased burden that we expect as a result of the increased drug traffic, but our concern about the increased burden that will, in fact, be generated as a result of your efforts to interdict narcotics, and to convey my hope that you will augment those efforts at interdiction with efforts to prosecution and incarceration as well.

IMPORT OF DRUG CONVICTION ON STATE PRISONS

But also my concern is about the impact on Arizona prisons, and so my suggestions would be, quite frankly, I think, and I believe that I speak for most of the local prosecutors. I am a member of the National District Attorneys Board. I am a member of their narcotics and drug task force.

I think I have a sense of how they feel, although I speak only as Pima County attorney today.

FEDERAL COORDINATION

One of our primary areas of concern is Federal coordination. One of the end results of Federal coordination is an overburdening of our legal courts and prisons. So we hope that, for example, the Senator's proposal that drug interdiction be instituted and to coordinate it with successful efforts. We will certainly lend our efforts to that.

We hope also that the Federal Government will, in contributing resources to the interdiction effort, also contribute resources right down the line. One of the great failings of the criminal justice systems and the people that fund it has been the refusal to acknowledge that when there are more resources poured into one area, it creates burdens on other areas, and that's true, whether it's at the Federal or State level.

RELIEF FOR STATE PRISONS

And finally what I hope that you will also consider, and it's something that I have recently written our entire congressional delegation about, is some relief for State prisons. We have people, as a result of our willingness as local prosecutors over the years, to prosecute, an overwhelming burden, a disproportionate burden of those cases with which we have concurrent jurisdiction with the

U.S. attorneys. We have also filled our prisons with people who might more properly be in Federal institutions.

As a result, as I mentioned earlier, the average stay in our prisons now is 27 months. The Federal court orders have precluded us from filling those prisons over a certain capacity, and we need some help in that area as well. So I would hope that you might also consider an appropriation.

I assume that it's appropriate for me to mention that in front of this committee, to provide some aid to State prisons. And if there is documentation necessary with respect to the number of individuals who are generated effectively by Federal effort or by Federal inactivity, who are now staying in our local prisons, I think we'd be happy to provide that for you. Thank you very much.

Senator DECONCINI. Thank you, Mr. Neely. We'll now hear from Mr. Navarrete, then we'll ask questions.

And, Mr. Neely, I understand your time constraints. When and if you have to leave, we'll certainly understand.

Mr. NEELY. Thank you.

ARIZONA CRIMINAL INTELLIGENCE SYSTEM AGENCY

STATEMENT OF FRANK NAVARRETE DIRECTOR

MISSION OF ACISA

Mr. NAVARRETE. Senator DeConcini, distinguished members of the committee and honored guests.

My name is Frank Navarrete. I am director of the Arizona Criminal Intelligence System Agency, commonly referred to as "ACISA". I would first like to express my appreciation to the committee for the opportunity to present the scope of Arizona's drug smuggling and trafficking problems.

Our mission at ACISA is to support law enforcement agencies in their endeavors to curtail crime in all of its forms by impartially facilitating the flow of criminal intelligence. Our goal is to enhance the effectiveness of law enforcement in reducing criminal conspiracies and in diminishing the flow of illegal drugs and narcotics into the southwestern United States, particularly Arizona, through the intelligence process.

During this brief testimony, and in answering any questions that may follow, I will be as candid as possible, constrained only by a legal need to protect ongoing case information from disclosure.

The State of Arizona shares approximately 372 miles of international border with the Mexican state of Sonora. With the exception of a half dozen border cities that serve as ports of entry, the area is desolate and rugged terrain. Due to its topography, the State of Arizona provides an ideal base of operations and transit point for both air and land smuggling. There are more than 200 clandestine landing strips available throughout the State, located in both desert and mountain terrain.

ARIZONA MAJOR CORRIDOR IN ILLEGAL DRUG TRAFFICKING

Recent intelligence reports and drug seizure activities along the border indicate Arizona is once again becoming a major corridor

into the United States for the mass distribution of marijuana and other drugs of abuse.

In the past, the combined efforts of the United States and Mexican Governments to eradicate marihuana and narcotics through the spraying of paraquat on marihuana and poppy fields in Mexico were very effective. As a result, seizures of marihuana and narcotics along the border dwindled to a few cases a year.

The use of paraquat forced major traffickers to look for other sources of supply and alternate distribution routes.

Colombia became one of the major sources of high grade marihuana and narcotics. The emphasis of drug interdiction effort shifted to Florida, and Federal resources were diverted to regain control of the Miami area.

FACTORS LEADING TO CURRENT PROBLEMS

In the fall of 1982, seizures of marihuana along the Arizona/Sonora border began to show a dramatic increase. In a comparison of seizures in the last quarter of 1982 to the same period in 1981, an increase of 400 percent was observed.

Two major factors are suggested as contributing to the increase in smuggling activity; first, the discontinuation of the spraying of paraquat in Mexico and, second, the shifting of distribution routes by smugglers to the Mexican border due to the concentrated efforts at interdiction in the Florida area.

Smugglers are aware that law enforcement manpower resources are still reduced and are taking advantage of that fact. Local authorities in the counties and communities are, out of necessity, devoting their overtaxed manpower resources to counter the increasing numbers of theft and burglary cases, many of which, ironically, are also related to supporting drug habits. As a result, the State and local agencies charged with fighting drug smuggling and trafficking problems are spread very thinly. These agencies are undergoing the same budget constraints and manpower shortages that have been experienced at the Federal level.

An example of stretched resources is the U.S. Customs Patrol, which is currently at about half the manpower strength in Arizona that it has been prior to the Florida emphasis. I think that the Customs Patrol has been doing a remarkable job with its limited assets. The degree of cooperation between customs and local and State agencies such as ACISA has been exceptionally high. My impression is that the Customs Patrol will need additional manpower and equipment in order to meet the increasing smuggling problems along the border.

COMMITMENT OF LAW ENFORCEMENT

In spite of the current economic problems in Mexico, ranking authorities in Sonora are committed to the fight against smugglers and traffickers. ACISA has joined forces with authorities from both sides of the border in an effort to facilitate understanding between agencies. ACISA has played an integral role in creating an atmosphere that promotes the interchange of information and inter-agency cooperation, an atmosphere which defines the international border as a symbol of unity between the two States as opposed to a

barrier between them. We see this as a positive step forward in the war against all criminal elements which would use the international border for illegal profit in contraband.

As a result of these liaison efforts, we have experience an increasing interchange of criminal information that is proving beneficial in both countries. Several arrests, prisoner—fugitive—exchanges and criminal prosecutions have resulted in the recent past. A good example is an August 1983 cooperative effort between Arizona, Federal and local law enforcement, the Mexican Federal Judicial Police, and the Mexican Army.

SCOPE OF DRUG THREAT—MARIHUANA

In an area approximately 50 miles south of the Arizona/Sonora border, 56 acres of marihuana and 20 acres of poppies were seized and destroyed. Seven vehicles and numerous automatic weapons were confiscated and 18 subjects were arrested. Fifty-six acres will produce approximately 56 tons of marihuana, and 20 acres of poppies will produce approximately 10 kilos of pure heroin.

In the fall of 1982, intelligence sources indicated there were approximately 500 tons of marihuana stashes just south of the border awaiting distribution into the United States. During the period from October 1982 to July 1983, over 10 tons of marihuana were seized by the U.S. Customs Patrol and law enforcement agencies along the Arizona/Sonora border.

MARIHUANA SEIZURES IN ARIZONA

In other locations in Arizona, marihuana has also been encountered in increasing amounts compared to last year. Here are some concrete examples:

In January 1983, 640 pounds of Mexican marihuana with an estimated street value of \$250,000 and a small aircraft were seized, and a subject was arrested at Chandler, Ariz.

450 pounds of Mexican marihuana valued at \$150,000 were seized at Cottonwood, Ariz.

670 pounds seized near Clifton, Ariz., one arrest, airplane crashed.

4,934 pounds were seized by DEA Phoenix offices between January and June 1983.

520 pounds valued at \$704,789 were seized by the Phoenix Police Department between January and July 1983 compared with 1,350 pounds valued at \$737,307 seized during the entire year of 1982. The difference in value can be attributed in part to the increasing prices of higher grade marihuana.

2,016 pounds were seized by the Arizona DPS between January and July 1983 compared to 10,836 pounds for the entire year of 1982—DPS attributes the decrease in seizure to a shift in priorities—concentrated effort on hard drugs.

We are expecting an unusually large bumper crop of Mexican marihuana this fall based on intelligence reports and highly favorable growing conditions.

Drug treatment programs in Arizona report marihuana admissions have been increasing over the last year. The increase can be

attributed in part to a reported increase by the users in the quality of the marihuana currently available on the street.

HASHISH

Information reported to ACISA also indicates an increase in the availability of hashish in Arizona.

The Phoenix Police report that in recent months, hashish has become prevalent in small quantities in the entire Phoenix area.

The Mesa and Tempe Police report they are regularly encountering gram quantities of dark brown hashish that sells for \$10 a gram. They have also encountered small amounts of hashish oil along with a counterfeit hashish oil which is actually a petroleum product with patchouli oil and honey mixed in.

The Phoenix Police report having seized approximately 6 ounces of hashish, 936 plants, and 150 milliliters of hashish oil from a period of January to August 1983 compared with 4 pounds of hashish, 20,025 plants, and no oil for the entire year of 1982.

Nine pounds, 15 ounces of hashish were seized by the Arizona DPS in all of 1982. They have seized 3 ounces of hashish between January and July 1983.

The DEA Phoenix Division seized 136 ounces of hashish between January and June 1983 compared to 47 ounces during the entire year of 1982.

In April 1983 a member of a hashish distribution organization was arrested in Tucson. The organization is alleged to have a "stash house" which has held at least 100-pound quantities of hashish and 500-pound quantities of African marihuana at one time. When the hashish is sold, it is wrapped in lead foil and bears Arabian and Sudanese markings.

In Tucson, DEA agents purchased approximately 1½ pounds of hashish and seized approximately 6 pounds of hashish from a Mexican/American. The hashish was selling for approximately \$800 per pound.

HEROIN

Mexico is a major supplier of heroin into and through the State of Arizona. DEA reports there are at least 60 working heroin laboratories in Mexico producing at least 200 kilograms of pure heroin each year.

In 1982 there were an estimated 22,000 heroin addicts in Arizona. Currently the Arizona Department of Health Services reports there are approximately 6,000 heroin addicts in the Phoenix metropolitan area.

Treatment centers claim that heroin abusers are "fixing" with gram quantities of the drug three to five times a day due to the low purity of drugs available at the user level. When heroin is unavailable, most addicts turn to using Percodan, Dilaudid, and Valium. The most popular method of using the drug is by injection. According to information from the National Institute on Drug Abuse Community Epidemiology work group, as of 1982, the use of heroin in Phoenix has stabilized. There has been no change in the number of heroin related deaths, and drug treatment centers report admissions are slightly declining.

Prices for user quality heroin—1 percent-3 percent—range from \$50 per gram to between \$1,100 and \$1,500 per ounce. Higher quality heroin in the 60- to 70-percent range is selling for as much as \$12,500 per ounce.

Mexican heroin trafficking organizations operating in the Phoenix area are tightly knitted organizations that are difficult to penetrate by local authorities. The situation is further complicated due to proximity to the Mexican border. Any independent entrepreneur can easily cross the international border, make a connection, and smuggle heroin back into the United States either through the ports of entry or through the numerous clandestine entry points that are utilized by illegal aliens for entering the United States.

Traditionally, people involved in the lucrative illegal alien trade—which is a major problem in Arizona—have also been involved in the heroin traffic.

Heroin from Southeast/Southwest Asia is also being encountered in the State. One interesting phenomenon we are seeing is the price of heroin decreasing as availability increases.

COCAINE

Despite its expense, cocaine continues to be the most popular drug in Phoenix and other Arizona cities. It is readily available in quantities from grams to multiple ounces. Street level prices range from \$100 to \$125 per gram to \$2,500 per ounce and \$45,000 per pound. Purity remains between 40 and 60 percent.

Increases in cocaine use in Arizona are indicated by the following statistics from Federal, State, and local law enforcement agencies:

Seizures of the Arizona Department of Public Safety more than doubled last year over the previous year. Phoenix Police had a similar experience.

In calendar year 1981, DEA Phoenix Division opened three cocaine cases. There were a total of 113 arrests and 21 pounds of cocaine purchased or seized.

From January to September 1982, the same office opened 18 cocaine cases. There were 123 arrests and 14 pounds, 6 ounces of cocaine purchased or seized through 1982.

In September 1982, the Federal trial of six accused cocaine-ring members involved in a conspiracy with well over 100 identifiable members across the United States was conducted in Phoenix. The conspiracy covered a period of 9 years. It is alleged that 1 kilogram of cocaine per month was distributed in the Phoenix area.

OTHER DANGEROUS DRUGS

There has been an increasing trend of smuggling and distribution of stimulants from Mexico, including pharmaceutical quality phendimetrazine and dextroamphetamine tablets. Mexican-based traffickers are finding a ready-made market in the Southwestern United States due to the increasing demand and abuse of stimulant substances. Mexico will probably increase in significance as a source of stimulants and other dangerous drugs in Arizona during the foreseeable future.

In all of 1982, there were 29½ tons of marihuana, 126 pounds of cocaine, and 31 pounds of heroin seized along the Southwest border. If the 1983 seizures of these drugs continue at the level of the first quarter, the following projections can be made for 1983:

	All 1982	First quarter 1983	1983 projected
Marihuana (tons)	29½	10	40
Cocaine (pounds)	126	45	180
Heroin (pounds)	31	30	120

These are alarming projections, and they provide support for a more concerted effort by all law enforcement elements to combine resources to stem the tide of illicit drugs and their very real threat to our society.

WHAT CAN GOVERNMENT DO?

In order to deal effectively with the problem, there is a need for greater commitment and cooperation at all levels of government. There needs to be a greater degree of confidence and trust and a two-way exchange of criminal intelligence between Federal and local officials.

The Federal Government can help by taking the initiative and implementing changes and policies that will help to break down those old barriers and help to eliminate the turf battles that have always existed between the various agencies. Local authorities need to be included in the early strategic planning stage of task force operations.

The criminal element is the only entity that profits from lack of unity among law enforcement and criminal justice agencies. We must act in a coordinated effort if we expect to reduce smuggling of dangerous drugs and narcotics into Arizona and the other States.

We need to be as well organized and as sophisticated as organized criminal elements in order to meet the challenge we are faced with. Organized crime's insidious involvement in drug trafficking should not be underestimated. The large scale distribution of drugs and narcotics is supported, financed, directed, and enforced by organized elements of the criminal community.

Mass produced products require mass distribution networks. Huge commitments of finances, manpower, equipment, supply sources, and transportation networks are all essential to the efficient operation and marketing of illicit drugs and narcotics, as Senator DeConcini has stated, "You cannot separate organized crime and organized narcotics. They are one and the same." *Newsweek*, May 11, 1981.

In Arizona we have elements of both traditional La Cosa Nostra and nontraditional organized criminal organizations that are known for their involvement in drug trafficking. Included among these are motorcycle gangs, prison gangs—who operate both in and out of prison walls—the Marielitos, Cuban gang, and several others who are involved in drug trafficking.

ACISA has initiated an offensive against these organizations in Arizona. We have targeted them for the purpose of gathering and

analyzing intelligence that will help law enforcement by facilitating arrests and prosecution.

Federal, State, and local agencies in Arizona are hampered in their efforts due to a current lack of manpower and equipment resources. The criminal element often is in better financial condition than these agencies, particularly local law enforcement. These agencies need help.

The Mexican authorities also need support in financing eradication measures so that part of the drug problem can be eliminated at its source. The support for the resumption of paraquat spraying needs serious consideration. Training opportunities for local law enforcement in dealing with sophisticated smuggling rings need to be provided. Formal support for interaction among all border law enforcement agencies should be provided, particularly as it relates to understanding differences between Arizona and Sonoran political and criminal justice systems. Information exchanges among the States must be encouraged.

CONCLUSION

I am encouraged by the recent formulation of task forces by the Federal Government. I feel my agency can play a key role in support of task force activities, particularly in the State of Arizona. I am anticipating active involvement of ACISA, through intelligence support, with the National Narcotics Border Interdiction System [NNBIS]. We are anxious to do our part as a catalyst in bringing Arizona law enforcement efforts to gear on drug trafficking problems in Arizona.

As you are aware, the use of narcotics and drugs in the United States has become a national social disease—a malignant cancer eating away at the very heart of our free Nation. In a recent report, it was estimated that \$26 billion were lost by private industry alone in the last 12 months due to the use of drugs and narcotics by employees and the subsequent absenteeism and decline in performance.

We are facing a formidable enemy to our Nation's security and welfare. The toll exacted on our society in destroyed and damaged human lives is appalling.

We must be united and committed to overcome the problems of drug trafficking and addiction.

I am committed to use all of ACISA's available resources to assist Arizona law enforcement agencies in their efforts to remove the threat of narcotics and drugs.

However, as has been stated by Vice President Bush, "No one agency, no one department, State, or region can successfully win the battle alone. We must all work together to make a real impact against this insidious threat to our country."

This concludes my testimony.

ADDITIONAL ATTORNEYS FOR ORGANIZED CRIME TASK FORCES

Senator DeCONCINI. Mr. Navarrete, thank you very much. Let me just briefly ask Mr. Neely one question. The Congress has approved at the administration's request, about \$127 million for additional attorneys to be assigned to organized crime task forces. That

does not specifically rule out any additions to the U.S. district attorney's office per se.

Have you in Arizona received any additional Federal attorneys? Have you observed them? Do you know that they're operating here, or have you had any experience with them?

Mr. NEELY. Not that I'm aware of, Senator, and the—and as you say, a good portion of my information comes to me directly from the U.S. attorney in response to the actions that I took in limiting the enforcement of what I consider to be Federal narcotics violations.

It is my impression that the U.S. attorney's office is badly understaffed in Arizona, and that the end result of that is that when I make a declaration, for example, that I'm not going to handle the type of cases that seem to be exclusively federal. That the immediate question that comes up, is there going to be anybody to prosecute those cases, and the immediate answer is no.

Senator DeCONCINI. My point is, that the emphasis merely on the organized crime task force is not sufficient if you don't do something in the actual trenches of the U.S. attorney's office with the prosecutors.

Mr. NEELY. Absolutely. That's absolutely correct.

DRUG TABLET CONTROL

Senator DeCONCINI. Let me ask Mr. Navarrete, Frank, Customs data indicates that in 1982, 1,467,000 dangerous drug tablets were seized by Customs in the southwest region, more than 48 percent of all dangerous drug tablets seized by Customs last year.

DEA's latest intelligence reports show that Phoenix metropolitan area has one of the four highest rates of per capita injuries from dangerous drugs of all cities in the United States. DEA also says that motorcycle gangs control virtually all distributions of methamphetamines in Texas. Now, you say in your testimony that Mexico will probably become a more active source of the dangerous drugs in Arizona in the near future.

What specific measures do you think can be taken, are you addressing this dangerous problem in Arizona, and other neighboring Southwestern States, and what does your intelligence tell you about the seriousness of this threat I've mentioned?

Mr. NAVARRETE. Our intelligence reflects that the threat is real and it is immediate. With respect to the efforts that can be taken in that regard, from our perspective, I think that it's important that we provide the threat and mobility, assessments and analysis along the border; share that information with local enforcement people, and the people would actually take—make the interdiction efforts and pinpoint the traffic patterns within—from Arizona into Mexico to support the interdiction effort.

Senator DeCONCINI. Thank you. Senator Hawkins.

Senator HAWKINS. Yes, Mr. Neely.

MORE FEDERAL JUDGES NEEDED

Senator HAWKINS. I'm sympathetic to your problem with the U.S. attorney's office. We've got the same problem in Florida and were given some relief. However, we also still suffer from—not

enough judges. I mean, not enough tough judges, number one. It's outrageous for anybody to put them away.

I'm like you. I'd put them away a long, long time. But if we were to get you the number of U.S. attorneys, the number that it needs, do you have any direct knowledge how many people he would need? I mean, could you give us the recommendations in his absence, or would you prefer we contact him?

Mr. NEELY. I think it would be better for you to contact him, Senator. But I can only tell you that if the intensity of his response to the position that I have taken is any indication, he is going to need a significant increase in his staff here.

Senator HAWKINS. And then is it the followup? You would need more judges? How—

Mr. NEELY. Are we talking about more Federal judges?

Senator HAWKINS. Yes; we'd need more Federal.

Mr. NEELY. I am not prepared to address the situation to the crowding of Federal courts. I would presume, as I said before, that any decrease in one element of the system is going to necessitate increases on the other parts of the system.

Senator HAWKINS. This is what we found in Florida, and Mr. Navarrete says you just naturally have that spillover, and especially, they're very long cases.

I mean, the public, you know, even almost loses interest. We've had special judges assigned to Florida. Chief Justice Berger assigns them on a rotation basis. But we've found they weren't staying long enough; that the case lasts longer than our judge that we can get to come on a per diem basis. So when you're addressing this about prosecutors, you know, you could provide it for the record, you know. You're experts, both of you, in this, you know, to follow through, to get more prosecutors, then you may need more judges. Even if it's on a visiting basis while the people learn, don't get caught in Arizona. It's what we're trying to prove in Florida.

Mr. NEELY. Well, I believe it's very clear that if the U.S. attorney's office has enhanced resources to the point at which they can handle something besides international conspiracies, interstate conspiracies and can actually tackle what we call the day-to-day dirty work of narcotics enforcement, that that is going to mean that those cases that would normally flood the State courts are going to go into the Federal courts, and clearly I think it indicates that there's going to be additional manpower and resources needed in terms of Federal district judges, and the backup personnel for those judges. I think—I think overall, if the efforts that you're talking about succeeds, it's going to result in more interdictions.

It's going to result in some large quantity, some small quantity. But by and large, the—just the increase in drug trafficking is going to result in the need for local prosecutors to concentrate their efforts on drug-related crimes that always increase, and on the kind of violence, and I'm sure you know, those along with that. And the U.S. attorney's office is going to have to take the responsibility in the area of prosecuting the 100-pound case, the 10-ounce case, which is not currently their practice.

And if they start prosecuting those cases, they're going to have to have courtrooms and judges before them to do that.

LACK OF PRISON SPACE

Senator HAWKINS. And jails, as you pointed out.

Mr. NEELY. Yes, and I don't want to shortchange that. The critical problem here in Arizona, as I said, is the lack of prison space. And I don't want to leave the impression that the 27-month tenure of our average prisoner has to do with our judges. It has to do with the crowded condition of our prisons. It doesn't have to do with how long they put someone away.

Senator HAWKINS. Is it mandatory?

Mr. NEELY. It is mandatory. And so if someone is released at that time, 27 months, it's normally because there have to be some bureaucratic devices imposed to comply with Federal court orders, which I might add is another burden the Federal Government has imposed on us to keep things down to what they describe as a reasonable level.

EQUIPMENT USE BY DRUG TRAFFICKERS

Senator HAWKINS. Well, I don't want to cause you any more worry in your job than you have because I commend you and anybody engaged in law enforcement when we're engaged in such a battle of sophisticated organized criminal figures, families, if you will, that are the kingpins in this.

We really are outspent, outmanned, outgunned. What kind of equipment do you see these drug traffickers using? Are they better than our equipment?

Mr. NAVARRETE. Well, certainly in some cases, it's better than what local law enforcement can provide. The degree of sophistication is the most appalling thing with respect to the avionic equipment installed in aircrafts, literally the use of night vision devices to detect surveillance, Federal surveillance and local surveillance alike, and I think that's indicative of the extent that that element is willing to go to, as well as indicative of the financial backing that they have and the cunningness and organizational structure that is involved.

Senator HAWKINS. There is a Federal judge in Atlanta that we all ought to write a letter to that is considering releasing 1,000 hardened criminals Marielito entrants that were mixed in with our 200,000 prisoners that came—I mean, people that came in that great boat lift.

He seems to be of the opinion that they didn't commit a crime in this country, so therefore, we cannot detain them in the Federal penitentiary in Atlanta.

Now I mean, if you think you've got troubles now, friends, I want to tell you, these are not your run-of-the-mill, average criminal. They are violent criminals who we identified in the screening process, like savages. You know, they cut off your head. They cut off your leg.

Mr. NEELY. We know.

Senator HAWKINS. We know.

Mr. NEELY. We have them.

Senator HAWKINS. Here we have this case where the Federal Government is pleading with this judge, keep them detained because our streets are too full of these fellows already. Yet, the

judge says the jail's too crowded, and they did not commit a crime in the United States. I think Florida's got flags up every place, don't come down there. I think you're in for a shock if they get let out, so you're going to need a lot more help.

DOMESTIC PRODUCTION OF MARIHUANA

Could either of you tell me if the domestic production has increased in marihuana? Do you know? I held hearings last—2 weeks ago in Mississippi—2 months ago in Mississippi, and they—narcotics expert testified domestic production was up 37 percent in Mississippi. Here we're trying to stomp all the borders, and Congressmen Gilman and Charlie Rangel came to our hearings in New York last week and testified that they've been to Latin America and talking with all the officials in those countries, and Bill Gilman landed to the headlines that the largest marihuana farm discovered in New York was in his district, so he was humiliated the morning he came to our hearings. Is that a problem here, too?

Mr. NAVARRETE. Having recently testified at Mr. Rangel's hearings in Redding, Calif., we conducted an analysis of the sensimilla increase in Arizona, and there definitely is an increase in the domestic growth of sensimilla in Arizona.

We found a couple of interesting facts. We found that some of it is being grown on consignment, if you will, literally, and we find that that's a unique approach to farming as we know it, conventional farming. And we find that some of it is going into the southern part of California.

It might make some of you people feel pretty good. But there is an increase, and I cannot put a percentage, could not associate a percentage with that.

Senator HAWKINS. I want to commend both of you for being engaged in this great war, and I pledge to you my cooperation, and I'm sure all the members of this panel in seeing that we win it. Thank you very much.

Senator DeCONCINI. Senator Wilson.

INDEPENDENCE OF ACISA

Senator WILSON. Thank you, Mr. Chairman. Mr. Navarrete, I'm eager to hear your witnesses, but before we do, I wonder if you could explain to us—without compromising any kind of security matter—some of the detail of the functions of ACISA, why it was created as an entity, and what you think the benefits of the independence may be. And if you can, you might briefly focus on turf battles. It seems to me the last thing in the world we need in what has been eloquently described by both of you as an unfair fight in terms of the resources available to you and the contrast of those available to the criminal traffickers, is to further dissipate what resources we have. But I would be interested in your focusing on the independence of your agency.

Mr. NAVARRETE. Senator Wilson, the agency itself was created in 1981. The hearing—at that point in time, when the legislature created it, it broadened the scope to include all criminal intelligence within the State of Arizona. The predecessor agency dealt specifically with narcotics, narcotic interdiction and narcotic intelligence.

And what occurred was that the success of the predecessor agency and the need, I think, both have all come to the point when legislature sought to broaden the scope and make it a full State agency.

With respect to independence, I think if you could look at an intelligence agency as a library of intelligence, so to speak, with a dissemination capability, a broker of intelligence, I think that the independent—that the independence is a value in this regard. As you well know, intelligence seems to be the most prized possession that law enforcement people have. And it's the most difficult thing, the thing that they hold nearest to their heart, and the most difficult thing to share with anyone.

No one else can do the job as well as I can. I think that's the general feeling that prevails. In that regard, if you have an established intelligence unit that is to serve all users of all law enforcement, they become—and it's located within an enforcement agency that actually has jurisdiction and arrest responsibility and public safety responsibilities, their worth in value is generally measured by how many arrests they make, how many pounds they interdict, how many citations they write, et cetera, et cetera. You know, the numbers game.

Intelligence isn't that kind of business. Intelligence—you don't measure my worth by how many arrests we make because we made fewer arrests last year. I think that will probably prove the point. So in support of the independence, I think that that disassociation, if you will, and independence is the key to a better flow. We'll never have a perfect flow. But it is the key to a better flow of information.

Senator WILSON. In other words, what you're saying is you get better cooperation because you're not a competitor?

Mr. NAVARRETE. That's the bottom line, right.

Senator WILSON. Thank you.

Senator DECONCINI. Congressman English.

ASSISTANCE TO NEW TASK FORCES

Congressman ENGLISH. Thank you very much, Senator. Mr. Neely, I want to follow up a bit on the point that the chairman made. The figure was \$127.5 million that was appropriated last year to assist, and the new task forces. I want to go back, and I think it's important to review a little history. Remember last October, the President announced the formation of these 12 new task forces under the Attorney General, and that this was going to be a national effort. This was part of the so-called war on drugs. This is where we were going to get serious. And the President had an air of urgency to the point that he was demanding that Congress expedite the funds so that this effort could get underway as quickly as possible.

Congress responded in—well, I could say, I guess, our natural speed in that they appropriated the money in November, less than 30 days after the President made his request.

DELAY IN USE OF FUNDS

But at a hearing I held on June 21, with regard to these task forces—and we had people in from the Justice Department—that

\$127 million, they hadn't even come close to spending half of it. In fact, they said they didn't think they were going to spend half of it by the 1st of October, the end of the fiscal year, and we were facing the possibility, in fact, maybe even the probability, that unless they asked that those funds be reprogramed, that it was simply going to be lost and lost forever.

And I've heard complaints similar to yours from my own State of Oklahoma, and we've had U.S. attorneys that have tried and received assistance. We've had U.S. attorneys that have asked where is all this task force help we've heard about. You know, when is it going to impact? When are we going to see some results.

I had one U.S. attorney in Oklahoma, in fact, who went to his regional office in St. Louis three times, and made requests three times, and finally he gave up and decided that he could better spend his time there at home, and I think this is—again gets into the area that I was talking about where performance is meeting and agreeing with the rhetoric. So far, performance hasn't caught up with the rhetoric, and it's very far behind, and the danger—and I think there is a real great danger here, that we find that people are cynical. They become discouraged. They become disappointed. They simply don't believe anything is going to happen, and they simply go their own way.

And I think that that's what's happened time and time again. I was a member of the Select Committee on Narcotics Abuse and Control back when it was first started in the House of Representatives, and golly, I guess I've seen three or four task forces by various Presidents that have come down the road, and efforts that are going to take place, and we're really going to zero in.

But in the long run, nothing much happens. Nothing much changes. In the short run, it's nice for the headlines, but as soon as it moves to page 2, why, it gets dropped pretty fast. And I'm picking up a little of that cynicism from what—from your statement, a little bit of question on whether we're ever going to see anything like this.

INTERDICTION EFFORT

The same thing comes true with regard to the interdiction effort. Here we are living within the budget, and I think that's fine living within the budget, but on the other hand, we see over on the investigation side, maybe half the money is never going to be used. So the question is, Who's rally looking after this thing. Who's really making sure that we see some followthrough, some commitment that was made, and so I suppose what I'm giving you here is more of a statement than it is a question.

But would you care to comment? Do you think that's a fairly accurate description of what you're saying?

Mr. NEELY. I think so. I am not aware other than as a result of a letter that I received which indicated the limitations on the U.S. Attorney's Office of any impact of that money. I do know that an individual who is with the U.S. Attorney's staff who used to be on my staff, and before that was on Senator DeConcini's staff named John Row who has been an incredibly prolific trial lawyer, and probably one of the most outstanding prosecutors in the State of

Arizona, I believe was assigned to one of those task forces and does not do the bulk of his work in the State of Arizona any more.

So that's the only impact that I'm aware of. And I do know that as I said, that the result of the U.S. Attorney's letter—and I know that he is making an effort, was, "I'm sorry, we just don't have the resources." And so the critical issue that faces border narcotics enforcement people, whether they're customs people or whether they're border patrolmen who are ancillary engaged in that, is what do I do when I catch this guy? Where's the prosecutor? You know, and our turf war is a little bit different than the turf war in the law enforcement agencies.

PROBLEMS IN PROSECUTORIAL AREA

Let us have this case, and don't you guys take it; it belongs to us. And in the prosecutorial end, what we're saying, you take it. And the difficulty is that we just don't have the resources at either level to handle all the cases that are coming in. So the question that I think has to enter the mind of any border patrolman or customs agent is, "What do I do with this guy? I've got him here now and I've seized 300 pounds or I've seized 2 ounces or whatever it is I've seized. Who do I call?" And the answer is, "Don't call me."

Congressman ENGLISH. I wonder if we could get a copy of that letter for the record.

Mr. NEELY. I think I've sent him a copy of it. If I have it, I'd certainly be happy to do it.

Senator DECONCINI. I think you have, too. I think I have a copy of it. But if you could follow up and get one to my office in Tucson for certain, we'll be glad to distribute them to the members of the committee. It's very interesting indeed, and we'll put it in the record.

Congressman ENGLISH. I appreciate that.

Mr. NEELY. I'd like to add one thing, too. Congressman, when I say, "Don't call me," I'm not expressing disinterest. What I'm expressing is a condition that exists in my department. The choice that I may very often be required to make is do I prosecute the mule who is on his way through the county, or do I prosecute the rapist who has been terrorizing women in our community for the last 6 months? And I'm not exaggerating there. That is literally the choice, particularly when you're looking at an entrepreneur in a narcotics area who you know if prosecuted fully is going to go to prison and take up a slot that may currently be occupied by a violent criminal, and that is a real difficult decision for a local prosecutor to make.

I'm going to make it in favor of sending the rapist every time.

Congressman ENGLISH. Along that very line, if I remember correctly, the Attorney General had a task force on prisons, or a task force on crime which reported with regard to prison. I believe it was about a year ago, in which the Attorney General was making some very strong recommendations about some additional assistance to build additional prisons, to house more people. And if I remember correctly, the response from the administration was, "Well, that costs too much money," and that pretty much got "deep-sixed."

But you know, we've got to—if we're going to catch them, we've got to prosecute. If we're going to prosecute, we've got to put them in jail. And if you simply—if you're going to fall by the wayside at one of those points, why, it doesn't make any sense to make the whole effort. It doesn't make any sense to go out and try to arrest them and apprehend them if you can't prosecute them. And if you're not going to prosecute them, why, you know, that makes the whole thing worthless.

If you're not going to put them in jail, that makes the whole thing worthless; if you're simply going to turn them loose, there's no sense in going through this exercise, and that's the sense of frustration I'm hearing from more and more law enforcement officials.

PRIORITIES IN LOCAL LAW ENFORCEMENT AREA

Mr. NEELY. Naturally, well, the bottom line for us, Congressman, is it's a question of priorities. You have stated your priorities here today. What those of us in local law enforcement are waiting to hear are the priorities for the rest of the Congress; what are the priorities of the rest of this administration. There's been a lot of noise about street crime, and we all know the relationship between street crime and narcotics. And so the thrust of the effort has been in the area of narcotics.

I think I've outlined a couple of other ways in which street crime could be affected by the Federal Government here today, and what we would really like to hear is less noise.

Mr. NEELY. And as I say, one of the most important things that could be done would be for the Federal Government to heed whatever the results of that task force were and look at the condition of local prisons. When I go to the National District Attorneys Association meetings, that's what I hear everywhere, you know. The public wants these people put away. One of the only ways that we can deal with certain types of criminals and certain types of problems is to put them away, and where are we going to put them? And so when the Federal Government increases its efforts and we don't see any increase in support for your local prisons or additional Federal prisons, we wonder exactly what's going on.

Congressman ENGLISH. Well, I think many of us are wondering of Congress the same thing whenever you put up \$127 million and then find that perhaps half of it's going to be turned back and never be used. It kind of makes you wonder well, what are we going through that exercise for?

Mr. NEELY. Well, I'm sure Mel McDonald would like to have some of it.

INCREASE IN DRUG ACTIVITY

Congressman ENGLISH. Mr. Navarrete, there's one very quick point I want to make with you. Mr. Chairman, I hope I'm not taking too much time here.

Senator DECONCINI. You're not.

Congressman ENGLISH. One is Dr. Turner, Carlton Turner, who supposedly heads up the overall effort nationwide dealing in dealing with the drug problem, made the statement before our commit-

tee that he didn't really think that there was more marihuana around, and there was and certainly as far as sensimilla, or high potency-type marihuana, he didn't think that was any greater than had been in the past. And that's conflicted with every law enforcement official that I've talked to.

Have you got any comments that you care to make on that?

Mr. NEELY. I hope you'll excuse me. I have a plane to catch. Thank you very much. It was a privilege to be able to talk to you today. Thank you.

Congressman ENGLISH. Thank you.

UNSOLVED PROBLEMS ALONG ARIZONA-MEXICO BORDER

Mr. NAVARRETE. Congressman English, I would dispute that within Arizona that that is certainly not the case in Arizona. And we have hard evidence to support the increase in that activity in the State. If I may, if you would allow me, I would like to briefly elaborate slightly on your original point with Mr. Neely with respect to the cynicism that seems to be prevalent.

In preparation for this hearing, I spoke with local law enforcement people in the poor counties along the southern border of Arizona that borders Mexico. And I feel obligated to share with you their general consensus of opinion. In essence, what they are really frustrated about is, in fact, the rhetoric. They feel that with respect to task forces with respect to the Federal effort, they feel that it's "good ink," but they haven't seen anything yet, and their solution to the problem from their perspective is if they just give us a little bit of the money, we know what the problem is and we can take care of the problem.

I have one sheriff in the southern part of Arizona that's in dire need of one night vision device. That's all he wants. We're not talking about very much money, but that's the kind of perspective we're talking about. Something that you people probably never concern yourself with because you're not dealing with it or the holes along the fence along the border. That seems like such an innocuous situation. But it's important to them. It's a priority.

They see the young juvenile burglars walking back and forth from Mexico into the United States, ripping off homes daily, and they can do nothing about it. If they arrest them, they deport them. If they don't arrest them, they go back, and it's just incredible. Some innocuous things as stray dogs and cats from Mexico coming into the United States. They're rabied. That's the kind of problem that the local law enforcement people are dealing with, and they hear about these interdiction efforts. They hear about AWACS. They hear about all kinds of efforts.

But these people in Arizona aren't seeing the results. And if you're serious about this, I think it's high time that that's where we focus. Let's focus now with the local law enforcement folk.

Congressman ENGLISH. You put it a bit more crudely, and I've heard this from a number of law enforcement. They think the Federal Government needs to put up or shut up.

Mr. NAVARRETE. That's probably not bad.

INPUT INTO NNBIS

Congressman ENGLISH. One final question I'd like to ask you as well, what input have you had into either the new NNBIS or system or the 12 organized task forces under the Attorney General on the streets?

Mr. NAVARRETE. Very little. Very little input.

Congressman ENGLISH. Have you had any?

Mr. NAVARRETE. I have had some conversations with Mr. Cavitt with regard to his program, and I feel very comfortable that we will be involved with input on that effort. With respect to the Federal task force, if we have had any, I think it's minor. I think it's been stated that our input was provided through local coordinating council meetings which we had two in Arizona, and I can assure you that we have very little input at those meetings.

Congressman ENGLISH. I heard that those meetings a lot of local law enforcement officials don't even want to go to them. They feel like it's a waste of time. You've heard that cynicism expressed as well?

Mr. NAVARRETE. Absolutely. No question. I would suggest to you that if they had a meeting tomorrow, you would be lucky if you could have anybody there from local law enforcement.

Congressman ENGLISH. Thank you very much, Mr. Chairman.

COOPERATION WITH FEDERAL AGENCIES

Senator DeCONCINI. Let me just, for the record, point out that Mr. Navarrete and his agency, because of their—and correct me, Frank, if I'm exaggerating—extension and welcoming some Federal agencies into your agencies such as ATF and Customs, you have some cooperation with them, but that's been at the initiative of the local agencies here rather than anything coming down from Washington. Is that a fair statement?

Mr. NAVARRETE. Senator DeConcini, it's absolutely correct, and I did not mean to infer to Congressman English that we weren't—that there was no cooperation at the Federal level.

There is, but I think the question was very specific. It was with regard to the task force.

Senator DeCONCINI. Task forces, right.

Mr. NAVARRETE. And I can assure you that the very people that are assigned to our agency and that coordinate with our agency are not in the administration high enough to really impact that operation.

Senator DeCONCINI. That's what's so discouraging from this Senator's point of view. The rhetoric in the task forces could be good if indeed they were mandated to work and get the input from the local law enforcement, which they do. And it's no greater criticism of this administration than there was of the last one.

We had the same exact problem, and in that administration, we were able to force them to hire some additional U.S. attorneys, and I hope we can do that here. I have one quick question that I just want to ask you on Customs authority to conduct followup drug investigations.

Currently, the DEA is supposed to conduct these investigations after Customs makes the initial seizure and arrest. But we have

found that DEA rarely pursues cases that have little chance of being prosecuted.

With the statements we have here from Mr. Neely and yourself, there seems to be a problem where many of the cases can fall through the crack. In south Florida, however, Customs and DEA conducted joint investigations with impressive results. The committee has approved an amendment which I put on, that permits an authorized Customs authority to go ahead and do followup investigation.

What's your position on allowing Customs to follow up on drug seizure cases? Can you just give me an opinion for the record?

Mr. NAVARRETE. Senator, my position is that we would welcome anything that can be done to improve and enhance the current effort in the interdiction prosecution of narcotics smuggling and trafficking.

Senator DECONCINI. Including this followup?

Mr. NAVARRETE. Yes, sir. If that's an improvement, I think that we strongly would support that.

Senator DECONCINI. Thank you. Thank you, Mr. Navarrete. We'll now proceed with the undercover witnesses that you have made arrangements for us to have at this time.

UNDERCOVER WITNESSES

STATEMENT OF JOSE (ASSUMED NAME)

HEARING PROCEDURE FOR PROTECTION OF WITNESS

Mr. NAVARRETE. Senator, and members of the committee, I am introducing a witness to you that is a past resident of both the United States and Mexico. He was a public official in Mexico for many years. His position was one of power and authority, and this experience provided him with intensive, intimate knowledge of Mexican governmental operations.

Additionally, he possessed firsthand knowledge and experience in narcotics trafficking and smuggling operations into Arizona from Mexico. He has personal knowledge of commercial narcotics trafficking, and as a matter of fact, admits to having close friends and associates who are currently commercial traffickers.

This witness' personal safety is in jeopardy, should his identity be known. He is appearing in disguise, and his voice will be electronically modified. His testimony will be in Spanish to be interpreted upon delivery.

For purposes of this hearing, I request that you refer to him only as "Jose," which is an assumed name.

Senator DECONCINI. Mr. Nielson, you're going to act as our interpreter for today, I understand. I want to thank you on behalf of the committee, and I want to welcome our witness, Jose, for taking the time to share with us some of the questions which many of us have. And I will begin.

I understand the witness has no opening statement. I would like to know, Jose, what prompted you to come before the committee to testify, and what's your motive in testifying here today?

JOSE [through the interpreter]. He has a desire to cooperate, to collaborate with us in the—in the problem of contending with the

narcotics problem. He has a family and friends who are affected by this problem, and he feels that it's his duty to come forward and help in any way that he can.

Senator DECONCINI. I want to thank him on behalf of the committee for that motive and those intentions. I also would like to ask if he can give us in detail what types of drugs or narcotics are being smuggled across the Southwest border, what quantities are being smuggled, and give us any trafficking routes that he's aware of. That would be very helpful.

MARIHUANA

JOSE [through the interpreter]. We're going to start with marihuana. Many times a marihuana trafficker will harvest the crop of marihuana on his own lands, or on some occasions, he will rent that land. The harvest, the transporting from the mountains to the border, by means of vehicles, airplanes that arrive at the border.

Many occasions, the purchasers will come, arrive at the border, come directly to the United States. On other occasions, they will stash it, arriving at the border while they wait to get a buyer.

At one time—at the time that they find the buyer, they will pass it over the line by means—by means of mules or persons who will take it across the border into the United States. On other occasions, with vehicles that have been specially prepared and hidden in selected places that they've set ahead of time.

On other occasions, the buyer will prefer to go to the Mexican border and affect a transaction there at the border because he can buy it at less cost.

TRAFFIC ROUTES

Senator DECONCINI. Can he give us a few traffic routes? And before that, has he been involved in either observation or in the actual process himself?

JOSE [through the interpreter]. There are different routes. The border is intense. Usually in most cases, it may take place near a city. They'll look for cities that are close to the border so that the movement of the marihuana will be short.

On other occasions, since there exists presently a lack of vigilance on the border, they will cut the wires and come through the fence, take the vehicle through the fence. Once they have arrived this side of the border, they will exchange the marihuana from the transporting vehicles to other vehicles who will then transport the marihuana to other parts of the United States.

Senator DECONCINI. And has he physically observed this process?

JOSE [through the interpreter]. Yes, in some occasions. At that time, I was not a public official. And to protect my family, I didn't say anything. Afterward, having conducted the operation, I recouped or—I did not like what I was doing. I didn't like what was going on.

In previous years, I was a public official, and I investigated many incidences of drug trafficking and I stopped the custom and I started investigating for my own purpose. For it is wrong to judge society or to endanger society.

I have been in different places, usually near the border. And for this reason, I am aware that even—even today exists the trafficking problem.

INCREASE IN PAST YEAR IN DRUG SMUGGLING

Senator DeCONCINI. Thank you. Let me go ahead here. Timewise, I know my colleagues here have some questions. I do want to ask if he has witnessed an increase in drug smuggling activities along the border during the last year, and if so, if there is also a presence of foreign operations within Mexico, and if he can identify any of those foreign operations, whether they be Cuban or whatever they may be.

JOSE [through the interpreter]. Traffic is increased today for the reason it costs more. Marihuana, before you could get a ton, what costs a ton—what they would make on smuggling a ton, they can make on—the same profit by smuggling half a ton.

For this reason—for this reason, smuggling is increasing and coming up in the coming months of October, November, and December because that's when they start the harvest. Naturally this takes place in the desolate parts of the mountain areas. At the present time, we—there is contact with a policeman who is capable—there are people who are capable and our President of the Republic, and the politics of the President is to end corruption. And it has had effect.

They have detected plantings in the state of Sonora, and they have eradicated these plants, and they have arrested the people.

In the following months that are coming up that I mentioned in the south, in the state of Nayarit, in the mountains and in some parts of Sinaloa and Chihuahua. What foreigners that you refer to—as you refer to regularly Colombians, they transport the cocaine. I have not been witness of this, but I have information that it's gradual increasing.

Heroin, they're cultivating poppies by my information that there is going to be a lot of poppies. And consequently, they will be clandestine laboratories where they're going to process it.

CORRUPTION BY PUBLIC OFFICIALS

Senator DeCONCINI. Let me go to one last question. Jose indicated that in his public capacity, he was involved or observed it. I'd like to know if he can tell us if that is prevalent on the Mexican side to his knowledge?

Does it occur on the American side that public officials are paid to look the other way?

Lastly, can you give us a figure, an amount, that he has witnessed that has been paid to a public official on either side to look the other way?

JOSE [through the interpreter]. He states that he has not, but he does know that it exists and he reaffirms that the Government of Mexico is taking methods today to end the corruption and to stop these.

Senator DeCONCINI. Does he have any information of what may be a regular payment to look the other way, past or present?

What's the typical payment that would be made to a Government official?

JOSE [through the interpreter]. He says that to his knowledge, that this practice is waning, and that he's not aware currently of any amounts that are being used.

Senator DECONCINI. All right. OK, fine.

Senator HAWKINS.

MARIHUANA USE BY MEXICANS

Senator HAWKINS. Jose, have you ever used marihuana yourself?

JOSE [through the interpreter]. No.

Senator HAWKINS. Your family?

JOSE [through the interpreter]. No.

Senator HAWKINS. Does the Mexican population as a whole use marihuana?

JOSE [through the interpreter]. Yes; they use quite a bit.

Senator HAWKINS. Is it increasing or decreasing?

JOSE [through the interpreter]. Unfortunately, yes.

Senator HAWKINS. When you conducted these transactions, were they conducted in a building, in an automobile?

JOSE [through the interpreter]. What he saw was taking place by the mules or the people who would carry it back and forth across the border. He said he doesn't know how that happened.

Senator HAWKINS. He does not know where they exchanged the drugs for the money?

JOSE [through the interpreter]. No; that was his answer.

Senator HAWKINS. Jose, you are a senior official, I believe you testified. You were—to your knowledge, do you know of any bank personnel that are knowingly cooperating with the drug traffickers in Mexico or Arizona?

JOSE [through the interpreter]. No; I don't have any knowledge of that.

Senator HAWKINS. Thank you.

Senator DECONCINI. Senator Wilson.

COCAINE TRAFFIC

Senator WILSON. Thank you, Mr. Chairman. I would like to pursue with Jose his knowledge of the cocaine traffic.

JOSE [through the interpreter]. He says usually those people that are from out of his country are Colombian; that there are a few of those that he was aware of, that they come sometimes ill prepared to deal on the border; that they have to make contacts at the border, but once they do, it's easy to get it through and into this country.

Senator WILSON. When he was a public official, was he involved in the investigation of this traffic?

JOSE [through the interpreter]. No; because it would make me an accomplice of theirs.

SOURCE BEHIND DRUG TRAFFICKING

Senator WILSON. In his observation of this traffic, did he gain a knowledge of the ultimate source behind it, that is, the people who

were deriving the ultimate profit, or did he think he was simply observing the mules?

JOSE [through the interpreter]. Yes; I did know some of them along the border.

Senator WILSON. My question though is: Was he ever able to trace the money trail back to the people who were the bosses of the operation?

JOSE [through the interpreter]. He said there always has to be someone behind, someone who is the head man. He says it's difficult to know who these people are because the people who come to the border are down the line, and they're not—they protect those people who are at the head of the operation.

Senator WILSON. Where is Jose's family now? Just in Mexico or—

JOSE [through the interpreter]. My family's in Mexico, in part of Mexico, but I can't tell you where it is because it may endanger their safety.

ROUTES OF MONEY TRAIL

Senator WILSON. And has he no knowledge of any of the specific money trails in the cocaine trade? He's not aware how the money was transmitted by those who actually made the sales here at the border or within the interior of Mexico back to their principals?

JOSE [through the interpreter]. He says any information—he says there always has to be a second person who carries the money, and the money is carried by that person is the second person who takes it to the real boss.

Senator WILSON. What is the largest amount of cocaine that he has knowledge of, not that he has directly observed, but that he knows about?

JOSE [through the interpreter]. The cocaine that comes here is either flown in or brought in by ship before it gets to the border, and it comes in small quantities that he's aware of. He doesn't know the exact quantities.

Senator WILSON. Thank you.

Senator DECONCINI. Thank you. We have no further questions of this witness.

At this time, we do have another anonymous witness, so we thank you very much, Jose.

STATEMENT OF MR. B.

INTRODUCTION OF WITNESS

Senator DECONCINI. We have our next witness. We're going to refer to this witness as Mr. B. I understand that he speaks English and can converse in English; is that correct?

Mr. B. I want to try my English, or in Spanish both because sometimes I forget the English. But I remember the Spanish.

Senator DECONCINI. Let me first thank you, Mr. B, for taking time to be with us and just to begin, can you give us a little bit about your background? Tell us about yourself and why you have the expertise that you have in drug smuggling and what interest it is to this committee?

Mr. B. Well, first, I'm a professional, confidential informant and I start this business because part of my family being involved in drugs and poppy fields south of the border. This happen about almost 10 years ago.

PROCESSING OF DRUGS

Senator DECONCINI. I understand that you have knowledge of the processing of drugs in Mexico, and also knowledge of some foreign involvement, Cuban or otherwise.

Can you first give us a little background on the processing of the drugs, how and where it takes place and then as to the foreign involvement?

Mr. B. Excuse me, sir. You asked me about where is the laboratories or the kitchens?

Senator DECONCINI. The laboratories or the processing?

Mr. B. Well—

Senator DECONCINI. Are there laboratories and can you tell us where they are?

Mr. B. Well, my sources told me there's two in Tucson and three or four in Culiacan and—but two or three in the high mountains over there in Chihuahua and in the Durango area.

Senator DECONCINI. Have you ever seen any of these?

Mr. B. Well, I saw one of those that—they call them kitchens because it's not a sophisticated laboratory. They use a couple of copper pans.

Senator DECONCINI. Can you tell us what goes on there in the kitchens?

Mr. B. Sir?

Senator DECONCINI. Can you tell us what goes on in that type of a laboratory, in the kitchens? What process do they do there?

Mr. B. Oh, they use them for processing the gum that comes from the poppies.

Senator DECONCINI. That's for heroin, right?

Mr. B. Right. That's correct.

Senator DECONCINI. And that happens in Mexico?

Mr. B. In Mexico.

Senator DECONCINI. Would it compromise you to tell us where that one is that you saw? Is it a problem if you tell us where that kitchen is located in Mexico which you witnessed?

Mr. B. Well, I believe a lot of people travel over there in the high Sierras in Mexico, and this copper canyon over there. It's a town by there called Bacopilas (phonetic).

Senator DECONCINI. Bacopilas?

Mr. B. Bacopilas. And Cerra Colorado, there's a couple over there.

Senator DECONCINI. And you've seen some of those?

Mr. B. Well, I saw only one in Naranjo de Cavia over there.

Senator DECONCINI. And can you tell us who was operating that? Was that Mexicans or was it foreigners or a combination?

Mr. B. Well, the Mexicans most of the time, they operate those kitchens. They—not exactly that chemical because the chemical, most of the time they come from the United States. Mexico is real hard for find good chemical over there.

Senator DECONCINI. And what about the source of the poppies? Does that come from Mexico or from out of Mexico or both?

Mr. B. What do you mean the poppies, sir?

Senator DECONCINI. Where are they grown?

Mr. B. Well, they got grown in Mexico, in Chihuahua, Durango, Colima and Sonora, Alamos.

Senator DECONCINI. Have you seen them?

Mr. B. Yes, sir.

Senator DECONCINI. These fields?

Mr. B. Yes, sir. I saw that.

CUBAN INVOLVEMENT IN DRUG TRAFFICKING

Senator DECONCINI. And have you witnessed as part of your professional informant career, the involvement of foreigners, people other than Mexican citizens or American citizens who are working in this area.

Are there Cubans? Are there Colombians or anyone else?

Mr. B. Well, I want to go answer that question. First, one of my sources, I talked to people who come from El Salvador and Colombia. This happened about 2 months ago, and they say they got—they saw the training in Cuba because Cuba growing its own poppy fields over there and they ship that—not the gum. They process it here in Cuba. They process the gum in Cuba and they ship it in small box to Mexican post. Not to South American post or Central American post. They ship it to the Mexican posts over there and they ship it—heroin, pure heroin in guns, rifles, in butts, in guns.

Senator DECONCINI. In the butt of the guns?

Mr. B. Sir?

Senator DECONCINI. Just weapons? They ship weapons and the heroin?

Mr. B. And the heroin, yeah.

Senator DECONCINI. Together?

Mr. B. Yes; together.

Senator DECONCINI. And this material comes from Cuba, and you have this information from reliable informants, in your opinion?

Mr. B. Yes, sir.

Senator DECONCINI. Have you ever seen any of those ships?

Mr. B. No, because I'm far away. The place I live is far away. One of the reasons I don't see with my own eyes is because I am not rich. I got my own money sometimes for pay my own informants. And I don't have any—you know, that kind of money to go over there and spend time over there in Quintana or Yucatan Peninsula over there, you know.

ARMS DESTINATION

Senator DECONCINI. I understand. Have you been given the information as to where the guns are going that are brought in from Cuba?

Mr. B. Well, the guy who give me that information, he come from El Salvador. So I suppose I not say exactly they went to El Salvador. But they ship it—they put them in fishing boats. They come to the Mexican coast and they put them in big trucks and across the—from the boat over there to Pacific Ocean, and they put

them in another trim boat and they going south. They sold it, my source say.

Senator DECONCINI. And how about the heroin? Where—

Mr. B. No; the heroin, they come to United States. They don't come to Mexico.

Senator DECONCINI. Where—do you know where it goes to after it lands in Mexico, what the route or the route is?

Mr. B. They use several roads, you know, for bringing to the United States. They use sometimes Juarez, sometimes Agua Prieta, sometimes San Luis Rio Colorado or Tijuana or especially Arizona.

Now the only places in Arizona in New Mexico is lonely, lonely areas, not even for the smuggling drugs. For smuggling both ways, you know, from the United States to Mexico, or from Mexico to United States.

VEHICULAR TRAFFIC IN DRUG SMUGGLING

Senator DECONCINI. And that is done by vehicle, by truck or—

Mr. B. Most of the time, they use vehicles and they call them mules. They call them mules. That's the people that's walking several miles with that load, you know, with couple of kilos on his back.

Senator DECONCINI. Do they walk across or do they drive across or both?

Mr. B. Both, both.

Senator DECONCINI. Are you aware of any airplanes that fly across?

Mr. B. Well, oh, I get information only about two or three because they are feared—the Army got like mobile radar—

Senator DECONCINI. Radar?

Mr. B. [continuing]. Radar units in the ground, and they are feared that they're going to catch them, they're going to, you know, shoot them down or—

TRAINING CAMPS IN MEXICO

Senator DECONCINI. Thank you, Mr. B. I do have one other question. Information has come to my attention, and I wonder if you have any verification regarding camps, training camps or terrorists in the northern part of Mexico near the U.S. border?

Can you tell me about this? Who sets the camps up, who is trained there, where are the sites and what's your knowledge of the general situation at the camps?

Mr. B. I got information about one camp about 20 miles south of the border, and I never see that camp with my own eyes. But one of my people who's working for me told me about that camp over there. They don't say it's Cubans or—They say they're training over there, but I don't think it's the Mexican Army who is training over there in this camp.

Senator DECONCINI. Did your informant tell you how many people were in the camp?

Mr. B. Oh, they—almost about 30 or 40 people over there.

Senator DECONCINI. And what kind of weapons they had?

Mr. B. Oh, they use American weapons.

Senator DECONCINI. They use American weapons?

Mr. B. Yes.

Senator DECONCINI. And you don't know where the weapons come from? I mean, who—how they get them there?

Mr. B. No.

BORDER FAMILIES INVOLVED IN DRUG SMUGGLING

Senator DECONCINI. Now the last question I have is: Can you tell me a little bit more about some of the people involved in the drug smuggling? Can you identify any particular families or organizations that are involved in this by name?

Mr. B. There's several families along the border, and one's a couple of hundred miles south of the border, and that family that—to me, the powerful family is over there is Hernandez de Leone.

Senator DECONCINI. Hernandez de Leone?

Mr. B. Sir?

Senator DECONCINI. Hernandez de Leone?

Mr. B. Hernandez de Leone, yes, sir.

Senator DECONCINI. And exactly what does that family have to do with it?

Mr. B. Well, that family got business in Mazatlan. They got—they run hotels over there and they got business in probably La Paz, San Ysidro, Tijuana, San Luis Rio Colorado, downtown Los Angeles and probably downtown Tucson, too.

Senator DECONCINI. And can you give us any other names?

Mr. B. There's another family that's from Agua Prieta, it's Casa. This family—Carnejo family, Sosas family and—

Senator DECONCINI. Now these families are more than just families? Are they organizations of a number of people?

Mr. B. Well, most of those families work alone. They don't go in forces yet. They work alone right now. They—I got information that those families, they want to join forces because in Mexico right now, El Presidente, La Madrid, you know, they got all the cats, big cats over there in the Government. And they—to me, they need more time because they're small heads.

Senator DECONCINI. And these families are involved in drug trafficking and what kind of drug trafficking?

Mr. B. This family is involved most of the time in marihuana and heroin.

Senator DECONCINI. Thank you.

Senator Hawkins.

BRIBING OF LAW ENFORCEMENT OFFICERS

Senator HAWKINS. Based on your experience and your informants, can law enforcement officers on both sides of the border be bribed?

Mr. B. I have had good information on that one by two or three along the border whose I know—I don't know exactly who it is, but almost. If I got time, I want to find out sooner or later. But they receive \$20,000 for three cars who cross the line.

Senator HAWKINS. On the Mexican side or the U.S. side?

Mr. B. American side, American side.

Senator HAWKINS. Got \$20,000 for three vehicles?

Mr. B. Yeah, for no inspect the vehicle, you know, the vehicle passed by only in the port of entry and they receive \$20,000. They put the money in the Mexican bank.

CUBAN POPPY FIELDS

Senator HAWKINS. To your knowledge, do you know if marihuana is being grown in Cuba? You testified about heroin.

Mr. B. Ma'am?

Senator HAWKINS. What about marihuana? Do you know if any marihuana has been grown in Cuba?

Mr. B. No; not marijuana. They—only poppy, "amapola". That is the poppy field in Spanish "amapola." They call it "amapola."

Senator HAWKINS. Where in Cuba?

Mr. B. That's—I don't know.

Senator HAWKINS. You don't know?

Mr. B. I never been in Cuba.

Senator HAWKINS. Do the Cubans help the Colombian drug dealers reach the United States, to your knowledge?

Mr. B. I don't know, ma'am.

Senator HAWKINS. Do you think the Cubans are smuggling—that are smuggling are working for the Cuban Government?

Mr. B. I'm pretty sure of that.

Senator HAWKINS. Do you know if the Cuban Government is growing the opium or is it grown by individuals?

Mr. B. No; I don't think so. The individuals, you know, private Cuban citizens grow his own poppy fields.

My knowledge is, I think, that Cuban Government knows exactly what's going on over there.

Senator HAWKINS. I think you testified that the Cubans are involved in the guns? Did you say that?

Mr. B. Yes, ma'am.

AIR ROUTES USED BY SMUGGLERS

Senator HAWKINS. Do you know any of the major air routes used by smugglers? Did your informants tell you of any air routes, airplanes fly that come to the United States?

Mr. B. Yes, Ma'am.

Senator HAWKINS. Where?

Mr. B. Well, they got a couple of fields in the Papago Indian Reservation over there. They landing over there. Sometimes they don't land. They come and fly real low and drop the marihuana, you know, from the sacks.

Senator HAWKINS. I see. How do the—you say they put the money in the Mexican bank. Is that what I heard you say?

Mr. B. Yes, ma'am.

Senator HAWKINS. The Mexican—to your knowledge, the Mexican Government, even though they nationalized the banks, don't trace that money?

Mr. B. Mexican Government right now, they looking for dollars. They don't care where it comes from.

Senator HAWKINS. There's stiff penalties in Mexico, are there not, if you're caught in this business?

Mr. B. Yes, if someone put the pressure. If they got them with 2 tons or 3 tons of marihuana, they want to send them for jail—to jail, you know. If no one put the pressure, they don't care.

They say well, we got 3 tons of grass right here, so we want to store 1 you know and keep 2 tons for the—you know for sell them and get money.

Senator HAWKINS. Since the establishment of the task forces or the word's gone out that the United States is getting tough on drugs, has it caused any discomfort for the Mexicans that are involved in this business, these families you're talking about?

Mr. B. I don't understand that question.

Senator HAWKINS. Is anybody nervous in Mexico, these families you're talking about, or do you think their business will be—do they think their business will be reduced in light of the border patrol that's been introduced?

Mr. B. No, I don't understand the question.

USE OF RADAR AT BORDER

Senator HAWKINS. I don't think you do either. You testified that the radar—there's a little uneasiness about the radar on the border; did you not?

Mr. B. Yes, that's one of the main concerns about the planes. They got planes. They got the equipment. They got most sophisticated equipment that border patrol, DES and Customs patrol got. They got the scanners. They got good equipment because they got the money for buy the equipment.

And when someone asks one of the Federal agents, you got good equipment, they say no, we don't receive it yet. We asked for the equipment 3 months ago, and they don't come yet.

That's one of the reasons, you know, it's more sophisticated now on the border than ever.

Senator HAWKINS. Thank you very much.

Senator DECONCINI. Senator Wilson.

ARMS AND DRUGS SHIPMENTS

Senator WILSON. Thank you, Mr. Chairman. Mr. B, you indicated that there was a connection between the shipment of arms and the shipment of processed heroin from Cuba. You said that the heroin came to the United States and that the arms went south.

Let's first try to trail those arms. If I understood you, you said they crossed over the Pacific side and then were taken further south in boats; is that correct?

Mr. B. That's correct, sir.

Senator WILSON. Did you know what the ultimate destination was? Was it El Salvador?

Mr. B. I think it's El Salvador. I won't say exactly because I was not there. They say going south.

Senator WILSON. Do you know what kind of arms these were?

Mr. B. No, sir.

Senator WILSON. Do you know whether any of these arms were sent to Guatemala or Salvador or Colombia?

Mr. B. I really don't know. All I know is that they're coming across by van from the Gulf of Mexico to the Pacific Ocean over there to a specific port on the Mexican side, Puerto Madero.

Senator WILSON. What was the name of the port?

Mr. B. Puerto Madero.

Senator WILSON. What was the connection between the arms and the heroin?

Mr. B. Well, the heroin—the Cubans know for sure. The Mexicans don't. A couple of Mexicans use the heroin because—but not—they don't have any money for buy that kind of drug, you know. They prefer to use marihuana than hard drugs, you know, and they know 1 kilo of chiva right now, they cost almost \$300,000 of pure heroin right here in the States. So if they say in at least 3 of 4 kilos and cost to the DEA or Border Patrol or State police got 1 kilo, so they got 3, 4 kilos, so they got almost \$1 million for return back to the Cubans hands or whatever.

Senator WILSON. It sounds like you're saying that the sale of heroin is going to the Cubans to finance the arms shipments. Was that your understanding?

Mr. B. I understand that one. They finance—they don't put their own money. They finance all that arms in all those camps and everything, they finance. Those with drug and with money who come from the United States.

Senator WILSON. Were the people involved in transporting and selling that Cuban heroin Cubans or Mexicans?

Mr. B. Most of the time, they put Mexicans in the front.

Senator WILSON. And what happened to the money after the sale? How much of the money went back to Cuba?

Mr. B. Well, if they got \$5 million, they got for it, they got \$1 million to the Mexicans over there to split the profit over there in a couple of hands.

Senator WILSON. To your knowledge, was most of this money banked in Mexico, or was any of it banked either in Cuba or in Panama?

Mr. B. They going straight to Cuba. They don't put them in other banks, in Panama or Mexico. They—all the money going straight to Cuba, and those guys over there, they distribute the money to different people, you know.

Senator WILSON. The payment was always made in U.S. dollars, right?

Mr. B. Yes, sir.

VOLUME OF DRUG TRAFFIC THROUGH TIJUANA

Senator WILSON. You mentioned that one of these families is operating in many cities. I think you also indicated that some of this traffic was going through Tijuana; is that right?

Mr. B. Yes, Sir.

Senator WILSON. Do you have any idea what the volume is, how much is going through Tijuana?

Mr. B. I don't have any idea. But since Tijuana is a big town, I think it's a couple of million dollars over there each week over there.

Senator WILSON. Now you're talking just about heroin?

Mr. B. Yes, sir.

Senator WILSON. Isn't there a change in the nature of the business? Isn't more and more of it going to heroin and cocaine because of the higher profit?

Mr. B. Yes, sir; they—well, the marihuana is going up, too, because they move tons and tons of marihuana. But some people, they don't want to handle the marihuana because they'd make a lot of bunch, you know, and they don't want to—they say well, if I want to sell a ton of marihuana, you see, it's more better I sell a kilo of heroin or a kilo of cocaine.

SOURCE OF COCAINE

Senator WILSON. And with respect to cocaine, the cocaine all comes from Colombia?

Mr. B. Most of the times, they come from Colombia and Bolivia and Peru. But now I've got my sources—I got a friend who is working—he's agriculture student. They set up a ranch up there in Mexico in the Sierras in Chihuahua who want to try to grow the coca plant over there in Chihuahua and Colorado State, right here in the States.

They want to try to put plants, small cocaine plants and try to grow them out and see if they—that's experimental ranches.

Senator WILSON. Too early to tell? Can't tell whether that's going to work?

Mr. B. Sir?

Senator WILSON. You can't tell yet whether or not that will work?

Mr. B. No; I never find out because sometimes it's real difficult to ask a lot of questions about arrangements.

Senator WILSON. Are the people who are processing the cocaine in Colombia and Bolivia and Peru also using Mexicans, or are they using—

Mr. B. No; they come and sell sometimes, but sometimes they use Mexicans because they need to use the Mexicans because if they don't sell the connections in Mexico and the Mexican knows this guy got two kilos or three kilos, they call the federales and tell him hey, I got this guy in my way. Get this guy and put him out of my way because there is a time when everybody knew the federales got two kilos or three kilos. It's the only time. Another time, you don't get nothing of what's going on over there.

IMPROVEMENT IN MEXICAN MARIHUANA QUALITY

Senator WILSON. Have the marihuana growers in Mexico been trying to improve their product by selling a better quality priced cheaper, in order to compete with California marihuana, marihuana that is grown in California?

Mr. B. Yes. The Mexican marihuana is the cheapest marihuana in the world because I know a couple of places in Chihuahua were marihuana fields, you know, I got information about it right now, probably right now this day. They want to bring 200 tons, put them in close to the border in Sausapi (phonetic) and Satuc (phonetic) and the Indian reservation over there. They want to split the marihuana. They want to put it there.

They started this month, this month, September. They started to bring up 200 tons and put them in small areas.

Senator WILSON. Do you think there has been a change since the new government came into office in Mexico with respect to Mexican officials being involved or looking the other way?

Mr. B. Well, it's a lot of Mexican officials involved. So sometimes they got good people. They got good people over there, but they don't let it work its trick, you know, like the same companions. They put the pressure on the good people and tell them, "Hey, you don't want to do it, what we're doing is the best, you out of the business. We want to ask you for a transfer to another place."

Senator WILSON. Thank you. My time is up. Thank you, Mr. B.

Senator DECONCINI. Thank you, Mr. B.

Congressman English, do you have any questions?

CUBAN HEROIN

Congressman ENGLISH. Yes, Mr. Chairman, I've got a couple of questions. With regard to the Cuban heroin, is it white or brown?

Mr. B. Brown.

Congressman ENGLISH. Is it processed in exactly the same way the Mexican heroin is?

Mr. B. Yes, sir.

Congressman ENGLISH. And who is operating the processing of that? Is that being done in Cuba, or is it being done in Mexico?

Mr. B. No; all the processing in Cuba.

Congressman ENGLISH. And who is handling the lab over there? Is it Mexicans that are handling the lab or Cubans?

Mr. B. No, no, no. Cubans. Cubans.

MEXICAN USE OF PARAQUAT

Congressman ENGLISH. With regard to heroin in Mexico now being produced, is there a concern that the Mexican Government will once again start using paraquat?

Mr. B. Yes; they want to use it, but for—in the state, sure they want to use it in the fields, I think. I say we because I consider myself part of the government.

We need to put the person over there in so exactly where they want to put the pesticide over there because sometimes they say well, we got the 5 or 10 planes flying over there in the high mountains, but they want to put the pesticide in the pine trees or on other trees, you know, and it's not the right way. We need to put them from—trusting people over there to watch exactly what's going on. If they want to put the vanana over there in the poppy fields or in the marihuana fields, if they don't want to put the pesticide over there in the cornfields or beanfields because they do it in the pass. They put the pesticide in the cornfields and in the tomato fields and those fields because they don't do, you know—they do it because they got the power. They got the force. They don't care about what the people think about if some poor family, they got 2 or 3 acres of corn over there, and the helicopter or the airplane pass by and put vanana over there and all the corn die and ten 2 or 3 miles away, there's the poppyfields, acres or taras.

The poppyfields and marihuana fields, that they don't do nothing about that.

Congressman ENGLISH. Why don't they do anything about them?
Mr. B. Sir?

CORRUPTION IN MEXICAN POLITICAL OFFICES

Congressman ENGLISH. Why don't they do anything about them? You said they don't do anything about the poppyfields 2 or 3 miles away. Why don't they do anything about them?

Mr. B. Because most of the family not in contact with the owner of those poppyfields in the big city, and the people in the cornfield, they don't know, who's maybe his army general or maybe he's a big lawyer, big doctor, engineer or maybe he's a big political who's a State senator or—a senator because couple of those guys involved in that one, too.

Congressman ENGLISH. Are you saying, too, that in the past, poppyfields in Mexico have not been sprayed because of corruption in the Government?

Mr. B. Yes, sir. They don't spray. They spray couple, you know, when they got the pressure from the press, from the television and though the communications you know, system, they put pressure or someone start to cry and say what's going on, what I want to do because a lot of marihuana come from Mexico. Then they want to start to spray a couple of fields, not all of them, Never they want to stop—destroy all of it because they got the money for the use, mostly from the crooks.

Congressman ENGLISH. Thank you, Mr. Chairman.

Senator DECONCINI. Thank you very much, Mr. B, for your testimony this morning.

DEPARTMENT OF THE TREASURY

U.S. CUSTOMS SERVICE

STATEMENT OF WILLIAM VON RAAB, COMMISSIONER

INTRODUCTION OF DEPARTMENT WITNESSES

Senator DeCONCINI. Let me now say that we are going to press on here for a few more minutes with the representatives from the Treasury Department, Mr. William von Raab, Commissioner of U.S. Customs Service; Donald F. Kelly, Regional Commissioner, Southwest Region of U.S. Customs, and Timothy Millhouse, the Chief of the Tucson Air Branch. Because of time restraints, I'm going to ask the gentlemen to come forward, and we will insert their full statements in the record. We have had an opportunity to review them partially this morning. We have some time restraints on a couple of members here who have airplanes to catch. So if you could please briefly summarize your statements and then turn the questions over to my colleagues here, I'm going to return first to Congressman English because he has to leave pretty soon.

Mr. von Raab, thank you for being with us. Mr. Millhouse, we welcome you also.

CUSTOMS EFFORTS IN INTERDICTING DRUGS

Mr. VON RAAB. I am pleased to have this opportunity to brief the Subcommittee on Customs efforts in interdicting drug smugglers. We are proud of our success in this area and are grateful for the support and interest which the Congress has shown.

The Customs Service bears the primary responsibility of interdicting all drugs being smuggled into the United States. In these hearings today we will be addressing our total interdiction efforts, with particular emphasis in the Southwest United States.

The gulf and south Atlantic coasts continue to be primary entry points for smuggling of narcotics and drugs. Our intelligence analysts predict that in calendar year 1983, 79 percent of the cocaine, 31 percent of the hashish, and 87 percent of the marihuana introduced into the United States will penetrate our shoreline between Brownsville, Tex., and Norfolk, Va. As our intensified enforcement presence in the Southeast proves effective, the smuggling threat continues to move westward.

During the first 10 months of fiscal year 1983—October 1982—July 1983—Customs officers in the Southwest region seized 86 pounds of heroin, 608 pounds of cocaine, 126,203 pounds of marihuana and 3,981,161 units of dangerous drugs. They seized 41 aircraft and \$4,608,991 in monetary instruments.

In trying to cope with this serious problem, Mr. Chairman, I would like to point out that we face a combined threat which con-

fronts us from the air and land and, in other regions, from the sea. We at Customs are determined to meet this diverse threat and combat drug smuggling to the very best of our abilities. At this time, it might be helpful if I outline and discuss the nature of the smuggling threat and provide information on how we are meeting the various dimensions of narcotics trafficking.

USE OF AIRCRAFT IN DRUG SMUGGLING

One area that has received a great deal of attention is the threat we face in the air from smugglers who are bringing cocaine, marijuana, and methaqualones into the country by private aircraft. It is estimated that approximately 97,000 pounds of cocaine will enter the United States during 1983. Of this amount, 40,000 pounds—or about 41 percent of the total cocaine entering—will be smuggled by private aircraft. Obviously, there is a large smuggler population we have yet to stop or deter. Our tactics in combating this type of smuggling, generally speaking, are as follows:

Wherever possible, we try to identify target aircraft via the use of radar. This includes FAA radars, Customs-manned radars, and military radars such as the Seek Skyhook—a tethered balloon located in Cudjoe Key, Fla. The detection data provided is used along with data from other approach and long-range radars. Our utilization of data from military AWACS and E-2 aircraft helps us to identify and track smuggler aircraft which are attempting to penetrate our borders. Detection data is used along with information gathered by our enforcement personnel, to develop the best possible data base on when and where smugglers will attempt to enter the United States.

Once a suspect aircraft has been identified, we will then launch a Customs aircraft in an attempt to intercept and track the suspect. Once intercepted, our Customs plane will track the aircraft to its destination, which is often a remote airstrip located somewhere in the southern part of the country. Our pilots will follow aircraft, many times at night with lights out, and attempt to land behind him where he is making his clandestine landing. We also attempt to put a second aircraft on the ground immediately behind the smuggler and if possible to have helicopters available to land and assist in making arrests. Local law enforcement agencies often assist in the apprehension phase.

In order to track smuggler aircraft we have some Customs planes which are equipped with sophisticated radar which enables our aircraft to intercept smuggler aircraft more easily. Some of our aircraft are also equipped with FLIR, which is a forward-looking infrared device which helps us track the aircraft visually during hours of darkness. We have air support branches in Houston, El Paso, San Antonio, and Tucson in our Southwest region. We have smaller air units at Phoenix and Albuquerque. FLIR-equipped aircraft are located at several locations in the Southwest.

The Customs air program is meeting new challenges in interdicting narcotics and dangerous drugs being smuggled into the United States by private aircraft. Suitable detection, interdiction, and apprehension aircraft are the most crucial elements to our success. We have a sound air strategy—the air module concept—which has

been successfully tested and permanently implemented in the high-threat Southeast United States.

The air module concept combines detection, interception, seizure, and arrest in a unified strategy aimed at reducing the air smuggling population.

Up until now we have been able to employ this concept on a permanent basis only in south Florida, but plans are underway to implement the same concepts in other areas, including the Southwest. It is evident that the air smuggling threat is not limited to Florida. Indeed, we have no doubt that air smuggling activity has moved into other areas as would-be smugglers are deterred from their regular air corridors.

USE OF SOPHISTICATED EQUIPMENT

As I mentioned earlier, sophisticated equipment is a key element to our success. The Department of Defense has been extremely helpful in providing detection data. They have also loaned Customs four Cobra helicopters which have proven very useful in the apprehension of smugglers.

We are extremely pleased with the Army Black Hawk helicopter which has been on loan for testing and evaluation in Florida. The Black Hawk has been a major contributor to our enforcement operations in the Southeast. Its speed, fuel capacity, and size have made it a vital element in the apprehension of suspect smugglers. The Black Hawk is particularly effective over water. The fact that it has two engines enables it to provide a safety feature which our other helicopters cannot meet. With its auxiliary fuel tank, it can cover a large geographical area, enabling it to take part in longer chases. An evaluation of the Black Hawk's effectiveness to our mission has just been completed, and it confirms our conclusions. Besides its positive mission effectiveness—over twice as effective as the Cobra helicopter—it was shown to be significantly more cost effective than the Cobra. The Black Hawk has been shown to be less costly in maintenance and only slightly more costly in operating costs over the Cobra. We are eagerly awaiting the loan of three additional Black Hawks.

A Navy P-3 aircraft, equipped with radar for surveillance, should be available for Navy testing and evaluation in midcalendar year 1984. A total of eight P-3's are being requested over the next 2 years. This would give us the capability of having greatly enhanced detection capabilities all along the southern border and coastline. The Southwest—particularly Arizona—will benefit from this detection coverage early in the test period. We recognize the necessity of providing detection coverage in the Southwest—an area where coverage is currently spotty, to say the least.

In addition to the 3 additional Black Hawk helicopters and the 8 P-3 aircraft from the military, we have requested up to 13 C-12's. The C-12 is the military version of our King Air aircraft. If the C-12's are equipped with FLIR, this will greatly increase our tracking capability at all of our eight air branches. The additional military assistance will not be immediate. The phase-in period will permit us to evaluate the equipment's effectiveness to our mission. By 1985, we expect to have a good deal of it in place. We are also pur-

suings the possible lease of several jet interceptors equivalent to our Citation II aircraft. The Southwest would benefit greatly from these additions. Meanwhile, we will strive to use what is available, where it will do the most good.

LAND SMUGGLING THREAT

Mr. Chairman, we also face a land smuggling threat, particularly in our Southwest region. We have Customs patrol officers stationed at key points along the whole southern border. We also face a tremendous marine smuggling threat, particularly in the gulf coast and Southeast areas of the Nation. We are conducting a test in the Southeast on a comprehensive marine detection and interception system.

I would also like to mention other areas in which our Customs officers must deal with smuggling. Significant amounts of cocaine, hash oil and marihuana, and especially heroin, are smuggled into the United States through international airports. Likewise, cocaine and some heroin and other drugs arrive at our seaports, having been secreted presumably by crew members in generally legitimate commercial carriers. Our inspectors and other enforcement officers must contend with smuggling on aircraft, vessels and trucks, their cargo and, of course, the multitudes of passengers.

CARGO ENFORCEMENT TEAMS

As a response to smuggling in cargo, we have created special cargo enforcement teams [CET] comprised of specially trained inspectors, whose specific mission is to search arriving cargo and carriers for contraband. The use of detector dogs continues to be productive in locating drugs at airports, seaports and at land border crossing.

I would like to note that we do not only seize narcotics and make arrests, but we also attempt to seize any assets that we can link to the narcotics smuggler—vessels, aircraft, vehicles, monetary instruments and real property.

COOPERATION AMONG FEDERAL AGENCIES

No one Federal agency can perform the drug enforcement mission alone. There is a strong spirit of cooperation among the various law enforcement agencies—both Federal and local—who are involved in this task. This cooperation was nowhere better exemplified than in the South Florida Task Force. The accomplishments of this multiagency operation, under the direction of the Vice President, need not be enumerated here; we know them well. So do the drug smugglers who no longer ferry drugs into south Florida with impunity, as they did just a few years ago. The task force caused a shift in drug smuggling routes and demonstrated that concentrated law enforcement programs can make a huge dent in the drug smuggler's operations. And now the administration using the South Florida Task Force as a model, has established the National Narcotics Border Interdiction System, or NNBS, that will spread this antidrug interdiction program around the country.

Using the general principles and the most successful interdiction techniques of the South Florida Task Force, NNBIS operates from six regional offices located to cover both borders and both sea-coasts. The Northeast regional office is in New York and is headed up by Customs Regional Commissioner Dennis Snyder. The Southwest regional office, with headquarters in El Paso, is supervised by Horace Cavitt, the Customs area special agent in charge. The northern border region, with offices in Chicago, is led by Customs Regional Commissioner Pete Dispenzirie.

The other three regional offices are headquartered in Miami, New Orleans, and Long Beach, Calif., and are led by Coast Guard officers with Customs officials as deputies. Both Dennis Snyder and Pete Dispenzirie have Coast Guard deputies. So the leadership of NNBIS is shared between Customs and the Coast Guard.

As in the South Florida Task Force, Customs and Coast Guard personnel working in NNBIS are supported by the Army, Navy, Air Force, and Marines. DEA aircraft also add their support. And as part of the larger law enforcement picture, NNBIS works in unison with the Attorney General's 12 Organized Crime Task Forces that the President established at the beginning of the year.

Mr. Chairman, I would like to conclude by emphasizing that Customs has utilized technology, selectivity, mobility and flexibility in developing an aggressive antismuggling campaign. Our future looks even brighter. I hope these remarks have been helpful in understanding the smuggling threat and the Customs Service's response to counter this threat.

With those brief comments, I think you all would like me to turn this over to questions, so I will be happy now to answer any questions that you may have, as will the other individuals who accompany me.

Senator DeCONCINI. Commissioner von Raab, thank you very much, and your full statement will appear in the record. And if anyone else has a prepared statement, we will put it in.

I will now—

Mr. VON RAAB. Mr. Kelly does have a prepared statement, and we would ask that his statement be included. His statement is rather specific with respect to some of the activities that we have underway in the Southwest.

Senator DeCONCINI. Fine. Mr. Kelly, your statement will appear in total. If you want to make any brief remarks on it, otherwise I'll turn to Congressman English.

Mr. VON RAAB. An Irishman is never at a loss for words.

U.S. CUSTOMS SERVICE—SOUTHWEST REGION

STATEMENT OF DONALD F. KELLY, REGIONAL COMMISSIONER
ACCOMPANIED BY TIMOTHY J. MILLHOUSE, CHIEF, AIR SUPPORT
BRANCH, TUCSON, ARIZ.

AIR INTERDICTION EFFORTS

Mr. KELLY. I appreciate this opportunity to give you a brief statement on the smuggling threat in the Southwest region. Commissioner von Raab has already given you an overview of the national

threat to our borders from narcotics smugglers by land, sea and the air.

First, allow me to introduce Mr. Timothy J. Millhouse, chief, air support branch, Tucson, Ariz., who will be available to answer any questions you may have about our air interdiction efforts here in the Southwest region.

Second, Senator DeConcini, I would be remiss if I did not express my sincere gratitude for the support you have demonstrated over the years. You were an early and major supporter of Customs air interdiction efforts and you have consistently identified the potential of the Customs Service in all enforcement efforts, whether it was smuggling, exports of critical technology, or some other equally important special operation. We, at the Federal level, consider you one of the top U.S. Senators for all law enforcement efforts. We are also aware that you have urged us to work with and to assist State and local law enforcement agencies. Although there is always room for improvement, we think we are meeting that challenge.

Finally, Senator DeConcini, while we may not always show it, please be assured how much we appreciate the interest and efforts of your very able assistant, Mr. Bob Mills, in supporting Customs Service initiatives. In fact, over the past several years, it may have made more sense for him to have been on our payroll than yours. We also thank you for the effort he has made not only here in Arizona, but also for the Nation as a whole.

All of us participating today were excited about this hearing. Not only to thank each of you personally but because we realize that each of you represent our future in the effort to stem the flow of drugs into the United States.

RELAXING OF POSSE COMITATUS STATUTES

Some of you have helped in the south Florida efforts, some of you have helped during the appropriations or authorization process and still others have helped by relaxing the posse comitatus statutes. The latter being possibly the single most important contribution the Congress has made to the war on drugs. It gives us the most hope in our ability to finally take a stand against these heinous criminals who frequently cross our border with their cargoes of drugs. Again, I would like to express my appreciation to each of you for your tireless efforts to promote drug enforcement. The fact that you have representatives from 15 to 20 other congressional offices here today, speaks well for our future. Your contributions are an excellent example of cooperation between the legislative and executive branches to address a pressing national problem.

We appreciate the support we have received from the Department of Defense. We are also aware that our level of effectiveness will increase dramatically as they make additional sophisticated equipment available to us. Their continued assistance has proven and will continue to prove to be the single most important contribution to this war. With this assistance we have been able to accelerate our efforts to make seizures and arrests, and to force smugglers to change their smuggling routes and methods. Without this assistance the task facing us would be difficult at best. With DOD's

assistance, we in the enforcement community are encouraged about our ability to deter smugglers from attempting to enter the United States.

We here in the Southwest also share your concern, and we very much appreciate your efforts to provide us with Defense Department assistance. Those efforts have been extraordinary and gratifying. These added resources are certainly going to make a tremendous impact on our effort to stem the flow of drugs into this part of the country.

We will attempt today, to provide you with information on the threat we in the Southwest face from those who are smuggling narcotics across our southern border. I will begin with a description of the threat in this region.

As you are aware, enforcement efforts in Florida have seriously disrupted the traditional smuggling routes in the Southeast and have forced many smugglers to travel farther, shifting their operations to the Gulf Coast and Southwest borders. This has caused an increase in smuggling into Texas, New Mexico, and Arizona. As far as we can determine, there has been an increase in "deep" border intrusions in which smugglers avoid Florida, move through the Yucatan Passage and head inland. We have managed, however, to seize 20 aircraft and make 67 arrests in the first 6 months of the current fiscal year.

The threat potential is obviously growing. And the probability that it will continue to grow is very high. Our intelligence indicates that Florida-based Colombian and Cuban organizations are establishing new air smuggling routes from source countries via the Caribbean and Central America, across the Gulf of Mexico to Louisiana, Texas, and the Southwestern United States.

COOPERATION WITH MEXICAN GOVERNMENT

I'd also like to mention that we have a very successful cooperative enforcement effort between this region and the Mexican Government. We have received extensive information on drug smuggling activity along the border. This international dialog has had a very positive effect on our enforcement efforts and I would like to add that cooperation and communication between the United States and Mexico have exceeded our expectations.

Mr. Chairman, this air threat along the Southwest border differs greatly from that in south Florida. In Florida, suspect aircraft are more readily identified than here because the vast oceans which are south of the Florida peninsula and the Bahamas, as well as the proximity of Cuba, do not encourage a great deal of recreational flying in that area. This helps our air support branches in Florida to target suspect aircraft on radar with less interference than we encounter here.

AIR SMUGGLING BETWEEN MEXICO AND UNITED STATES

Along the southern border, Mr. Chairman, smuggling is a way of life for many people. The high demand for televisions, radios, and other electronic consumer goods creates a black market for smuggling these items into Mexico. What this does is to drastically increase the private aircraft traffic, thus blurring the overall picture

and making our job infinitely more difficult. These pilots or contraband smugglers often return to the United States with other contraband including narcotics. What we believe they do, however, is drop it at remote sites in the United States which are extremely difficult to patrol, then return into Mexican air space and fall back into a normal air route, thus arriving at their ultimate destination with empty planes. When they land, they are usually only in violation of FAA laws.

The fallout from this traffic, however, is that routes are established, contacts are made, "safe" airstrips on both sides of the border are known, and pilots gain experience. We believe the air smuggling threat in this area is serious. And because of the pressure in south Florida it will only increase. We feel that the criminal smuggling organizations are in place to shuttle drugs into the United States from the South in large quantities.

I must underscore, Mr. Chairman, that as we are sensitive to the problems that the Mexican Government faces from the contraband smugglers, so too are they sensitive to the problem our country faces from the narcotics smuggling threat. I feel confident that our relations are such that the Mexican Government will do everything it can do to help disrupt the drug smuggling activity from their country into ours. But because the heavy private air traffic across the southern border is already in place, I believe that new air smugglers who can stage at more distant southern locations and penetrate our southern border, pose a serious target identification problem for us here in the Southwest United States.

THREAT FROM HEROIN

One of the most serious threats we face here in the Southwest is from heroin. Recently, our inspectors in Brownsville, Tex., seized 40 pounds of heroin, worth approximately \$35 million on the street, in a car attempting to enter the United States from Mexico. Though we have yet to seize heroin being smuggled in by air, I must believe that this is a logical next step for these smuggling groups to pursue.

Pilot smugglers are not particular about what they carry. Consequently, arrest of the pilot is one of the most important factors in reducing the threat. Pilot arrests are an excellent indicator of success in the drug war. Many experience pilots fly one load after another. The arrest of just a few of these pilots can have significant impact on the smuggling community. Because of your help in obtaining the Cobra and Black Hawk helicopters, we have been able to show more success in the Florida area, however, we are hopeful that we may be able to implement the same concept in the Southwest area as equipment from DOD becomes available. At the time, we are positive we can dramatically reduce the air smuggling population.

We will continue to have problems during the interim because the air smuggler is flexible, well organized and has a resource base sometimes far superior to ours. They have sophisticated equipment which they do not hesitate to ditch rather than be caught. A large load of narcotics has a sale value which makes even a one-time trip profitable. Smuggler pilots are well paid, experienced and are will-

ing to take the risk. We are, however, developing new ways to counteract their ability to enter our country unchallenged, mainly by refining our strategies and developing interim solutions to our equipment needs.

SUPPORT FOR ADMINISTRATION PROPOSALS

We are also mindful that when you leave this hearing and return to Washington, Congress will reconvene from its August recess. Though events of the past month will no doubt dominate your work in Washington, your personal help and that from the rest of Congress could be extremely valuable by actively supporting several legislative proposals that are important to Customs and other law enforcement agencies.

These include issues such as increasing the amount of forfeiture value of seized aircraft and vessels, which must go through court proceedings. Many of you have already seen the recent report by the General Accounting Office entitled, "Better Care and Disposal of Seized Cars, Boats, and Planes Should Save Money and Benefit Law Enforcement". Commissioner von Raab has recently mandated new initiatives in how Customs maintains and forfeits the considerable property we are presently maintaining. This is a positive step forward.

We think, within Customs, that this should help also. Other proposals pending before Congress would increase the arrest authority for Customs officers, and impose more stringent penalties on pilots engaged in illegal transport of narcotics by aircraft, as well as on aircraft owners who permit the use of their aircraft for such activities. We, of course, hope you will support each of these proposals during the coming months.

During the last 2 years, Mr. Chairman, we believe that the Customs Service has come close to accomplishing most of the operational goals we set for ourselves to improve management, personnel levels, and enforcement strategy. The Customs Service continuously monitors the drug threat and we have tried to conduct our operations where our resources can be best utilized.

HIGHLIGHTS OF RECENT INITIATIVES

As you know, the Customs Service bears the primary responsibility to interdict all drugs being smuggled into the United States. In addition, our regular forces are highly dedicated in their efforts against drug smugglers. Let me now highlight some of our more recent initiatives.

ENFORCEMENT

Enforcement is our No. 1 priority. The single most important management initiative under Commissioner von Raab was to change the priorities of the Customs Service. Customs has a difficult and complex mission and it was crucial for each employee at the port, district, and regional level to understand that enforcement is now our No. 1 priority.

MARINE MODULE

Within the last several months, using our Customs boats, we began a test that combines many of the same concepts used in the air module.

The marine module utilizes a piece of equipment that could be considered our first state of the art acquisition, and we are accelerating our purchase of other equipment to work within this concept.

CARGO ENFORCEMENT TEAMS (CET)

Our Cargo Enforcement Teams have been one of our most successful enforcement programs and have recently been expanded nationwide. By combining profiles with extensive cargo searches we continue to make impressive seizures. The CET Team principle is now in operation on the Southwest border and last week another region concluded a special operation where 100 percent inspections were given to arrivals from one source country. The possibility of commercial freight being used to transport narcotics has been of great concern to us in this region.

PASSENGER PROFILES

Although passenger processing time is down nationwide, we have found that seizure rates have gone up. We have taken a select group of our inspectors with unusually high numbers of seizures and we combine their skill with training, and educate our other inspectors to key on the small percentage that represents a smuggling profile. We have been very pleased with the results we have achieved thus far in processing arriving passengers using these methods.

SPECIAL OPERATIONS

Among other special operations we have recently concluded a special operation on outbound traffic. Coupled with Operation Greenback and using the Bank Secrecy Act reporting requirements, we began assessing how much drug money was being diverted to source countries. As you know, Operation Greenback is a joint cooperative effort with the Internal Revenue Service, in which Customs conducts complex financial investigation into money laundering and other financial activities of drug-related organizations. This exercise was highly successful, Mr. Chairman.

Finally, Mr. Chairman, with the increased commitment from management and the shifting of nonenforcement positions to on-line enforcement positions, we are now approaching a level of strength where intelligence is a necessary complement for the future success of our operations. Commissioner von Raab has recently made a strong commitment toward this end by adding 66 positions dedicated solely to intelligence gathering activities. Good intelligence, as I am sure you are aware, is critical. In fact, proper intelligence may become the single most important element in the war on drugs.

In conclusion, Mr. Chairman and members of the subcommittee, Customs is constantly pursuing new ways and means to meet the challenges in interdicting narcotics and dangerous drugs being

smuggled into the United States, whether by air, land, or sea; whether in cargo or by passengers. Customs law enforcement has made considerable progress in the past 2 years. We are seizing more drugs at the border than ever before, and our financial investigations have yielded impressive results. I do not wish to imply, however, that we have reached the turning point against the drug trafficker—we haven't. We still have a long way to go in this regard. We will need to concentrate even harder on the initiatives we have begun. Customs enforcement personnel are highly dedicated Government employees and we are very proud of their efforts. We are grateful for the support and interest which Congress has shown, but especially for the support of each of you here today, and on behalf of the men and women of the Southwest Customs Region.

I wish to thank you very much.

Thank you very much, Mr. Chairman, for your attention.

Senator DeCONCINI. Thank you, Mr. Kelly, and I want to assure you that your full statement will be in the record. It's only because of time constraints that we asked you to summarize it. I notice some specifics here on enforcement and cargo enforcement teams and special operations and passenger profile which is all very, very important. I'll now yield to the Congressman from Oklahoma.

DIFFICULT JOB FACING CUSTOMS SERVICE

Congressman ENGLISH. Thank you very much. Mr. Chairman, I want to state first, before I begin the discussion, that I have nothing but the greatest respect of Mr. von Raab for the Customs Service and particularly for the men who are in it. They, I think, have been asked to do an impossible job without the tools to complete that job.

I also think that it's very important though that that point be made.

As I stated earlier, I think that we do have people certainly down the line in law enforcement who are becoming discouraged, disgruntled, cynical, and distrustful every time they hear about one of these big efforts taking place. And they really don't expect it to amount to much. I think that's what's wrong.

I think it can amount to a great deal. I think we've got the potential to do a great deal. I think the leadership you've shown in being in Customs, you've shown some real innovation, and you're to be commended for that. The problem seems to be to get everybody hooked together at once, get everybody doing the job at once.

But I think we've got to be realistic in what we're facing, what the past Customs have had before. So I want to try to perhaps lay that open a little bit so people can understand that a little bit better.

TOTAL AIRCRAFT ENTERING THE UNITED STATES WITH ILLEGAL DRUGS

For instance, can you tell us in the area from south Florida to San Diego roughly each month how many aircraft would be coming into this country carrying drugs?

Mr. von RAAB. There are approximately 6,000 yearly illegal entries of aircraft into the United States. Now it's hard to say which of those would be carrying drugs.

Congressman ENGLISH. Do you have any rough estimate at all?

Mr. von RAAB. Not a credible estimate, no.

Congressman ENGLISH. Of those 6,000, how many would actually be intercepted, and some determination made as to whether or not they're carrying drugs or any other contraband? I presume they would introduce other contraband as well.

Mr. von RAAB. I'm sorry. Of the 6,000, how many would be intercepted?

Congressman ENGLISH. Right, and be checked by Customs to determine whether or not they're carrying any type of drugs or other contraband?

Mr. von RAAB. Well, just—I would have to say that it would certainly be between 500 and 700 would be intercepted in some way or the other.

Congressman ENGLISH. So somewhere in the neighborhood of 10 percent?

Mr. von RAAB. Yes.

Congressman ENGLISH. And of those, how many roughly have you found carrying drugs?

Mr. von RAAB. I hesitate to give you that number right off the top of my head. I can certainly provide it for the record because we do have that information, and I will give you that number.

Congressman ENGLISH. I appreciate that. The point that I'm making here is that we did get an estimate from the San Diego Air Support Branch back in early July when we held a hearing out there. Their estimate was that they had roughly 200 aircraft crossing the California border that they were unable to account for that were drug smugglers.

That's 200 per month which would be 2,400 aircraft per year, if you're tying that down. To bring the point home, and it must be underscored here, I think, that they did not and do not have the tools to do the job out there. They were able to catch since the first of the fiscal year, something like nine drug smugglers.

So the point I'm making is that we have a tremendous amount of aircraft that are coming across this border. There's no way in the world that Customs Service has the resources to address that, and that is the reason why we have a record amount or one of the reasons that we have a record amount of cocaine on hand.

And I don't think anybody ought to be disillusioned about it, and I think this is one of the problems that we're going to be facing. People have heard a great deal on drugs for the last year and a half. We've heard a great deal about all this new equipment, the military getting involved, and they're, I think, going to be raising some questions as to well, how do we have then a record amount of cocaine on hand? Is this a problem that is simply impossible?

USE OF AIR MODULE

You mentioned within the statement that you have that you've been able to employ the concept, namely, of being able to have an air module where you will be able to detect, intercept and arrest in

the south Florida region. And I will certainly grant you that the south Florida region is probably the best that we've got without request, and we have more resources down there to address the problem.

But even in that area, even with all the effort that's been put forth down there, even there, we're not able to really have a total concentrated effort, are we?

Mr. VON RAAB. Not a total concentrated effort, but I think it's a very effective effort.

DETECTION CAPABILITIES IN SOUTH FLORIDA

Congressman ENGLISH. But is it not true that we have, in fact, within the last 12 months, gone months without having a detection capability in south Florida?

Mr. VON RAAB. In particular areas, yes, that's true.

Congressman ENGLISH. So—and even in those areas where we do have—even those months that we do have the detection capability, it doesn't approach even 10 percent of the hours each month that there is detection capability; is that not correct?

Mr. VON RAAB. If you're talking about 24 hours a day, everyday a week, that is correct.

Congressman ENGLISH. Out of 720 hours a month, it's very, very seldom that we've had 70 hours worth of detection capability.

Mr. VON RAAB. We're running about 50 to 60 now.

Congressman ENGLISH. But that's within the last—that was, if I remember correctly, in July according to the Navy, and I believe in August, you were down in the neighborhood of 30 to 40; is that not correct?

Mr. VON RAAB. I'd have to get those figures for you.

Congressman ENGLISH. According to the Navy, in July, 52.7 hours of time. In August, it was 33.6.

We'll get that a little later for the record, Commissioner. I don't want to hold it up while we go through that. But those were the figures that we were provided by the Navy as far as the E-2C coverage.

It's been my knowledge there been no AWACS coverage over south Florida recently. With regard to intercepts, that, of course, is an area that is equally important. Once you detect an air smuggler, you've got to be able to intercept him.

Mr. VON RAAB. I happen to have them, so if it helps to present them here, we have—well, this doesn't cover August. You may be right.

INTERCEPTING OF AIRCRAFT

Congressman ENGLISH. OK; with regard to intercepts, that's the second important point, of course, once you detect an air smuggler, you have to be able to intercept him.

Could you bring us up to date with regard to those aircraft that we have in the south Florida area, the number of aircraft to have a speed, say, in excess of 200 knots with an outfit of FLIR radar or F-16 radar? I'm talking about south Florida here.

Mr. MILLHOUSE. Right. I understand, south Florida. At the present time, there are two Cessna Citations assigned to south

Florida that have forward-looking infrared capability, and also forward-looking radar, plus a King Air B-200 system which has the forward looking infrared system.

And all three of these aircraft are capable of speeds in excess of 200 knots.

Congressman ENGLISH. Are both those Cessnas there? Are they physically there, or are they assigned there?

Mr. MILLHOUSE. They're assigned there.

Congressman ENGLISH. Are they physically there?

Mr. MILLHOUSE. I'm not sure.

Mr. VON RAAB. I believe they're there now.

Congressman ENGLISH. They're physically there. OK; so we have three aircraft that would fit as being good interceptors, and I believe in addition to that, I believe we have four Cobra helicopters, and the one Black Hawk, which would be good in making arrests; is that correct?

Mr. MILLHOUSE. Yes, sir, that's correct.

Congressman ENGLISH. So still the point being those interceptors and the helicopters have a real problem if they can't detect, if there's nothing to guide them to where they're supposed to be going, and what we're still talking about at this point, even at the best, the optimum, the showpiece that we've had for the Nation, we've only had this capability of less than 10 percent of the hours each month on an average.

Mr. MILLHOUSE. That's correct. And detection continues to be one of the major problems.

Congressman ENGLISH. Right, and this is one that we think will be addressed not only with the addition of Seek Skyhook at Patrick and Freeport, but also with the E-3's that will be coming along or P-3's that will be coming on in the very near future.

Mr. MILLHOUSE. Yes, sir.

EQUIPMENT IN NEW ORLEANS AREA

Congressman ENGLISH. Moving on, Commissioner, of the New Orleans region where they have to carry on a fight with the Yucatan Peninsula, it's our understanding that you can fly in up to 1,000 feet in that area without running into problems as far as conditional, conventional radar in that area.

Can you tell us with regard to what type of equipment do we have in that area for detection capabilities?

Mr. VON RAAB. We have one King Air.

Congressman ENGLISH. It is only equipped with FLIR radar; is it not?

Mr. VON RAAB. For detection, we occasionally have E-2C coverage.

Congressman ENGLISH. Can you tell us how many hours over the last 3 months that you've had E-2C coverage with regard—

Mr. VON RAAB. I cannot tell you right off the top of my head. But I can provide you with that information.

Congressman ENGLISH. Yes, this is one of those areas that I understand has gotten sensitive mainly because of the fact that the Navy says because of the long duration down there, it has negative impact on combat readiness—

Mr. VON RAAB. It is more difficult for the Navy to provide E-2C coverage down there for that reason.

Congressman ENGLISH. Would it be accurate to say that far less coverage detection capability exists in the New Orleans region that exists in south Florida?

Mr. VON RAAB. Yes.

Congressman ENGLISH. So, we would have far less than 10 percent of the time which we'd be having coverage, and we've got one King Air with a FLIR now located at New Orleans.

Mr. VON RAAB. New Orleans, right.

HELICOPTER USE

Congressman ENGLISH. And with regard to the rest? Helicopters?

Mr. KELLY. In the Southwest?

Congressman ENGLISH. For New Orleans?

Mr. VON RAAB. We have two "Hueys."

Congressman ENGLISH. What are the speeds of those Hueys?

Mr. MILLHOUSE. Those are 90-knot aircraft basically. They're extremely slow.

Mr. VON RAAB. They're large support aircraft.

Congressman ENGLISH. So they could not be of benefit in making arrests; is that correct?

Mr. VON RAAB. Well, less benefit certainly than the fast helicopters.

Congressman ENGLISH. Well, we didn't find anyone down there wanting to take them out over the Gulf. Let's put it that way.

DETECTION CAPABILITIES AT HOUSTON AIR SUPPORT BRANCH

With regard to the Houston Air Support Branch, could you tell us with regard the detection capabilities you have there?

Mr. KELLY. Well, we've got a Mohawk down there. Do you want me to go right across the forward units?

Congressman ENGLISH. I'm only looking for detection though first of all.

Mr. KELLY. On detection, we've got a Mohawk in Houston, King Airs in San Antonio and El Paso, and a Citation in Tucson.

Congressman ENGLISH. None of those have detection capabilities?

Mr. KELLY. Not E-2C type of detection capabilities.

Congressman ENGLISH. What you have is FLIR?

Mr. KELLY. They have FLIR in one case, and the Citation has the additional radar.

Congressman ENGLISH. And that's one of a kind, no parts on the shelf type radar; is that correct?

Mr. KELLY. Yes, sir.

Congressman ENGLISH. And with regard to making arrests, what is the situation that exists there in helicopters?

Mr. KELLY. We are basically equipped with Hueys.

Congressman ENGLISH. You have the same problems with the speed?

Mr. KELLY. Yes.

Congressman ENGLISH. You're dealing with 90-knot aircraft? Nothing of the speed we're talking about?

Mr. KELLY. Yes; not the speed that we would like.

Congressman ENGLISH. That would get you on the scene to make an arrest?

Mr. KELLY. That's correct.

RADAR PROFILE

Congressman ENGLISH. At this point, Mr. Chairman, I'd also like to put up a profile, radar profile of the border, which I think underscores the need for these aircraft down here, particularly the need for the detection capabilities and as well as the intercepts.

Mr. Chairman, this is a radar profile which runs roughly from Douglas, Ariz., down to Brownsville, Tex. It indicates the difficulty that the Customs Service is facing, I think, at this time; namely, because it shows the height in which we have voids in making that coverage; namely, FAA radar and NORAD and others.

You can see that even at some points along the border, it's gone up as high as 15,000 feet in which a drug smuggler can come in without being detected. There's a green line across the top of that indicating that the aircraft they were using for tests simply couldn't go any higher, so it could be a good deal higher than 15,000 feet.

Even in the Douglas area, we're talking about 10,000 feet, and no problem in that area. And I think that that underscores the importance as to why we've got to provide the Customs Service, as rapidly as possible, with detection capability to move up and down the border, all the way from San Diego, all the way down to Brownsville, in particular, with that type of detection capability.

EQUIPMENT AVAILABLE IN SAN DIEGO AREA

I think as we move on, and the next step, Commissioner, I'd like to move on to is the San Diego area. Could you fill us in with regard to what equipment is available at that point?

Mr. VON RAAB. Well, we pulled the King Air out of San Diego and moved it into New Orleans, which removed our only tracker aircraft. We have 1½ Hueys at this point. One of them was damaged, and some State and local assistance, so apart from a couple of light twins and a couple of single engines, we have 1½ Huey helicopters.

Congressman ENGLISH. So there's no detection capability in that area with the possible exception of the detection that takes place over the Pacific when the E-2C's are out training?

Mr. VON RAAB. The special operations which you have in any of these areas at any particular time.

Congressman ENGLISH. The other point that we got was that evidently the E-2C's weren't working that well over southern California because the ones that they have out there are mostly focused to work over water as opposed to mountainous terrain.

Mr. VON RAAB. I believe they ran E-2B's last time.

Congressman ENGLISH. Last time I heard they had the same trouble, that they were talking to the people in southern California, San Diego area, that weren't too enthusiastic about what could be done with the E-2's over in the mountainous terrain in southern California. They have been having real trouble with that.

Out over water, it works great. But over the mountainous terrain, it was rough.

Mr. VON RAAB. Right. That would make sense.

Congressman ENGLISH. So we don't have any real capability for detection over the mountainous terrain. We don't have any intercept aircraft equipped with FLIR's that would be up to 200-knot range to really perform as interceptors, and we've got 1½ Hueys which would be 90 knots.

What's the half?

Mr. VON RAAB. That's the broken one. We don't know how long it will take to repair it.

Congressman ENGLISH. Half the time it's up, and half the time it's down?

Mr. VON RAAB. Now, it's down. It's definitely down. It's just a question of whether we can bring it up or not.

Congressman ENGLISH. I think the point we're trying to make, Mr. Chairman, as you move rapidly across, and doing an evaluation of the Customs' capability, it becomes very obvious that we have a lot of fine men here who are trying to do an impossible job except—because they don't have the equipment to do it. And again, I think that there's a danger with too much generality, and there seems to be contained much of the time in that, "Everything is great because we've got this fantastic effort underway."

The real effort hasn't started. I think that we're still a long way from that. And I think that it's become very obvious that a good deal more of the nuts and bolts type of work is going to have to be done further down the line so that Commissioner von Raab can find people he's got in these services that are able to do the job that we've charged them with.

One further point with regard to the radar down at Guantanamo, that's the one being used to watch over the Windward Passage to traffic coming through. It's my understanding when that first went in, they were detecting about five potential targets a day on an average that were coming in; is that correct?

Mr. VON RAAB. Yes.

Congressman ENGLISH. It's my understanding evidently the smugglers are aware that they're there. I heard they're down to one every 5 days now.

Mr. VON RAAB. Smugglers typically shift under those circumstances, and they have shifted farther east.

ROLE OF NNBIS

Congressman ENGLISH. We've all heard a great deal about the new NNBIS, Commissioner. Can you explain to me exactly how NNBIS works, what role it plays in this whole operation?

Now, they're supposedly an interdiction operation, while we have—the task forces have been doing the investigation. Exactly what does NNBIS do? What additional role does it fulfill for you?

Mr. VON RAAB. Well, NNBIS is, as you pointed out, an interdiction effort. NNBIS provides from a practical operational standpoint—three potentials, all of which we believe are being realized at this point. First it provides a mechanism for planning and put-

ting into effect special operations against drugs entering the country, and which may run for long or short periods of time.

And since it is a cross-departmental effort, it is much more effective in coordinating and using the resources of the various departments or agencies. So in that sense, it is a very effective mechanism for the development and implementation of special operations.

Second, on a routine and regular basis, it provides a great potential, and one which we're starting to realize for exchanging of intelligence and information which previously was not as effectively shared, particularly the more sensitive information from the intelligence community. Previously, for a number of reasons, largely the inability of some of the agencies to handle it properly, or to have the equipment to handle it properly, this intelligence was not available in a timely manner to the drug interdictory agencies.

And last, it has turned out to be an extremely effective mechanism for pulling together the needs of the drug interdictory agencies. In this case, particularly for the Coast Guard and for the Customs Service it is the military assistance available under the changed posse comitatus. So, I would say that from my perspective, those are the three major, and by the way, very significant aspects of NNBIS. Now that's shorn of all the more elaborate descriptions of it. But from an operational standpoint, that's how I see it.

Congressman ENGLISH. But I notice, Commissioner, you stated in your testimony on page 10 that this is a model of the South Florida Task Force, and it in no way is a model of the South Florida Task Force; is it?

Mr. VON RAAB. It's a model only with respect to the interdictory part of the South Florida Task Force. If you're also including the investigative side, and my testimony would be misleading and I will ask you to correct my testimony accordingly.

GROUPS INVOLVED IN INTERDICTION EFFORT

Congressman ENGLISH. It will be noted for the record, I would think. But also in interdiction, we're talking about Customs and Coast Guard. Who else have we got that's involved in the interdiction effort.

Mr. VON RAAB. Who else is involved? Well, a number of the intelligence community are involved through the providing of intelligence, and there have been efforts and continue to be efforts to bring in State and local enforcement groups into the NNBIS operations.

Congressman ENGLISH. Isn't that what we have EPIC for? Wasn't that the idea behind EPIC, that it was supposed to involve all this intelligence information with regard to drugs and smuggling?

Mr. VON RAAB. Not in an operational sense. It is a narcotics exchange mechanism. What I'm talking about here is the NNBIS purpose for including State and local authorities in some of these special operations.

Congressman ENGLISH. If I remember correctly, that was the job of EPIC, El Paso Intelligence Center?

Mr. VON RAAB. I didn't realize that EPIC had any operational responsibility, and I think it's largely a passive intelligence exchange operation. But I wasn't present when EPIC was established.

SPECIAL OPERATIONS DEVELOPMENT

Congressman ENGLISH. What kind of special operation could be launched outside of either the Coast Guard doing it by sea, or are you all doing it by air and land?

Mr. VON RAAB. Well, for example, in New York, there are lots of special operations that could be run at the northeastern border which would be largely inspectional in nature, and which would involve some of the State and local authorities. Participation by State and local police in inspection efforts, which are enforcement efforts, is a good example of the kind of operation I have in mind.

Congressman ENGLISH. Again, the point that we're coming down to, Customs worked with State and local police before. I've heard—in fact, that is one of the agencies I've heard commended by State and local police. They've had difficulty with some of the areas, but they seem to work out fairly well with State and local.

Mr. VON RAAB. Customs has worked well before with State and local, but I will say the cooperation with State and local authorities, particularly in the Northeast, it has increased as a result of NNBIS.

Congressman ENGLISH. I guess the question that arises, it seems to me that these were all functions with the possible exception of intervening with the Department of Defense, which is a new job. It seems to me that these are all functions that have been performed by one body before, and really those bodies haven't been done away with. Customs still is working with local officials as they have in the past. EPIC is still underway and supposedly is the central intelligence gathering agency. And, you know, I guess I just wonder exactly what is it—what special function does it play and, Mr. Chairman, I've taken far too much time, and I apologize.

Senator DeCONCINI. No; thank you, Congressman English. I'm glad you're pursuing that because I think you make a good point that there's been a great plan laid out here, and perhaps we'll hear a little bit more from Mr. Cavitt, the Vice President's coordinator here today. There's a lot to be done. I don't think there's any question—I don't think these gentlemen question that either, and you articulate it so well, that we have laid out some strategy based on some success, limited success in Florida. We sure as heck have a long way to go. So I'm glad you pursued those questions.

Senator Hawkins?

SUPPORT FOR CUSTOMS SERVICE EFFORTS

Senator HAWKINS. Thank you. I want to commend you, Commissioner von Raab, and your team for the help they've given to south Florida in general. I wrote you a letter this week. You may have seen it, or may not have seen it.

Mr. VON RAAB. I actually flew in from London for this particular hearing, so I haven't seen it.

Senator HAWKINS. I commend you for coming on Saturday.

Mr. VON RAAB. It was also the opening of the dove season in Virginia. It's a great sacrifice.

Senator HAWKINS. I appreciate it. I know how many sacrifices you do make and this is a struggle we're making.

I don't remember in my years of watching and participating in government of any one department that has had so much help wished on them. I know sometimes you don't want all of it at one time, and I know in administration trying to cut costs and cut budgets, that that's your job. You have to make do with what you have, as Congressman English has pointed out.

PERSONNEL TRANSFERS FROM FLORIDA PANHANDLE

We want to give you a lot more equipment and make you a lot more successful. Would you tell me, first I'll pursue the letter I sent you—I get calls now from Floridian agents saying, "We're going to be transferred out of Florida Apalachicola, Pensacola." I wrote you a letter on the seventh stating that personnel reallocation in Pensacola, Apalachicola, and the Panama City offices, which in the minds of those who are nervous, and I am one of them, would put a big hole back up in the Panhandle where we've had some tremendous big busts. As you know, it is a rural area, and it's islandic. I hurried and sent you a letter, and I sent Secretary Regan a letter, you know, that I don't want anybody moved out of the task force down there, and especially at this particular area or any other area. You will not be successful in this battle if, as you stretch the people across the United States, not being able to ask for any more money, that you stretch these people, put them some place else to relieve another pressure point.

So, you know, Sir Richard's Almanac always said, "Never write anything you can deliver in person." So I want to tell you—

Mr. VON RAAB. OK, well, I, of course, will give you a formal answer. But briefly, the answer is that those areas have been found to have been of low productivity. Senator DeConcini is smiling. We've gone through that on Deming, I suppose. And therefore, we're moving those personnel slightly west—at least that's our plan—to an area of higher risk.

But I would point out that that's probably a temporary matter because we are continuing to increase our inspectors, agents and patrol officers, and a lot of these—

Senator HAWKINS. Nationwide?

Mr. VON RAAB. Nationwide. So some of these moves are necessarily just for—I won't say the individuals won't be transferred permanently, but any empty slots that they leave will generally be filled, most likely be filled. I can't say specifically in this case, but the—we have enormous recruiting going on in the Customs Service, increasing our resources by hundreds, and I would expect that there will be additional inspectors, patrol officers, and agents showing up in all sorts of places along the entire border of the United States. So I don't think it's a long-term problem.

Senator HAWKINS. Well, I'm going to assure you, it's not. But I'm concerned that we will make a hole there.

Mr. VON RAAB. I understand. I will certainly take a good look at it.

Senator HAWKINS. And we just, you know, don't want to—you know, we'll just get you some more people. I understand that Customs is probably the most thankless job in the world if you've—like you have, and the rest of your men have spent any time in Customs in any of these areas, it really is a demanding and a tremendous job.

So I wish you well in your recruitment efforts.

Mr. VON RAAB. I will point out, however, that if we can just, in terms of responsible management, we are bringing Customs officers, enforcement officers aboard just about as quickly as we can, and still go through proper background checks and at the same time get the best possible men and women in. So we expect to see a bubble of some 400 people or so coming through.

Senator HAWKINS. 400?

Mr. VON RAAB. In the next year, couple months, just of the procedural aspect of bringing people on board in the Customs Service.

These have come out of the other side of Customs, which is the commercial side of Customs.

IMPORTANCE OF INVESTIGATIVE AUTHORITY

Senator HAWKINS. How important in your opinion as an expert—is investigative authority to your job?

Mr. VON RAAB. Well, complete investigations of every smuggling event is obviously extremely helpful to the Customs Service because we're not always certain whether a minor infraction of our laws is really the tip of a smuggling iceberg. So it's very important to us to have the potential there for investigation of each and every, if possible, narcotics smuggling event that takes place. And we rely largely on DEA to perform these investigations, although in Florida we perform some of them ourselves. In other parts of the United States, we work so closely with DEA that we are actually performing investigations along with DEA.

So it is extremely important to the Customs Service to have as much investigative coverage as possible.

CUSTOMS SUPPORT OF AIR INTERDICTION

Senator HAWKINS. What has Customs intelligence done to support air interdiction?

Mr. VON RAAB. What has Customs intelligence—

Senator HAWKINS. Customs intelligence done to support air interdiction?

Mr. VON RAAB. The major effort in the intelligence area is to develop a national threat study, in addition to which we have increased the number of intelligence alert messages and, for example, we have disseminated about 420 intelligence alert messages in the past year.

I would point out, however, that we are trying at this time to increase and improve our intelligence efforts in terms of enforcement. The last two areas that I am trying to address, at least before the end of 1984, are patrol and intelligence, both of which need a lot of work.

So I hope you'll see that we will be disseminating even more alert messages. But, for example, in the intelligence area, we're al-

locating 50 to 60 new positions, just to try to support current efforts.

Senator HAWKINS. What impact will the reorganization of intelligence in Customs have on enforcement and interdiction?

Mr. VON RAAB. We are trying to shift from mainly strategic intelligence to a more tactically oriented approach. Our field officers have accused our intelligence units of producing historical novels of what has gone on in the past, rather than providing them with timely information of what's likely to happen today.

We're increasing our analytical capability by some 15 positions, and then as I pointed out, we're throwing in an additional 68-plus positions into the entire intelligence area.

STATE-OF-THE-ART TECHNOLOGY EMPLOYED BY CUSTOMS

Senator HAWKINS. What state-of-the-art technology is Customs employing in the development of tactical intelligence support of the air program?

Mr. VON RAAB. I suppose the major case of that is our Pinpoint operation. Ray Mintz would be the best to describe it. We would like to, provide you with this information.

Senator HAWKINS. That would be fine, for the record.

Mr. VON RAAB. Well, not for the record, in some sort of confidential way because it is an important method.

Senator HAWKINS. Oh, fine.

Mr. VON RAAB. However, we don't want to disclose it.

Senator HAWKINS. Then I want to protect the confidentiality of that, I think.

Senator WILSON. It's too good a question to ask in public.

Mr. VON RAAB. Right.

Senator HAWKINS. I know you're under budget constraints. We talk about it a lot. Customs has a radar balloon station in Key West. In your opinion, what is its detection value, and the cost effectiveness of that balloon?

Mr. MINTZ. We are using an Air Force facility in Key West from which information is being provided to Customs. I think it's been of some value to us. I don't know the exact number of aircraft that are detected, but it's there. It's useful to us. It's relatively low cost for us to employ, so I would have to say it is cost effective, but I couldn't tell you at this time exactly how cost effective.

Congressman ENGLISH. Could I make one point?

Senator HAWKINS. Sure.

Congressman ENGLISH. Isn't it true though that that facility has just become operational in the last 2 or 3 months? That the reality, up and through the spring even of this year, that it was—they were having great difficulty in getting the information that was provided reliable—it was that understanding as late as June it was really the first time it started coming on at about 75 percent reliable. The digitizers is where the problem is.

Mr. MINTZ. Yes; that is a point about the meaning of the word "operational." There have been problems in getting the data relayed automatically to us at our Miami communications center. And in that sense, you are correct.

It's only recently that we've been able to work out those problems and make full use of the data in Miami.

Congressman ENGLISH. It's just now getting to the point where you can rely on it, is the point.

Mr. MINTZ. Yes, sir.

USE OF MOBILE RADAR BALLOONS

Senator HAWKINS. Is there any value to the suggestion—and then I'll turn it over to Senator Wilson—for having mobile radar balloons along the border so that we could have the lookdown radar capabilities for the drive-through traffic and the walkover traffic to relieve your people?

Mr. VON RAAB. Yes, there is value. The problem we've had with the existing radar that we have—and I will turn to Mr. Mintz about some of the more modern equipment that's been suggested, is operating our mobile units. They're just very difficult and very expensive to man. And as a result, they're very costly for the Customs Service, not necessarily in terms of dollars, but also in terms of the personnel required to live with them, for whatever time it is, in fairly rural areas.

But maybe—Ray, would you comment on some of the more modern mobile radar that's out?

Mr. MINTZ. All right. Senator, I think you were speaking of the mobile aerostat radar that would look down. At this point, both Customs and a commercial source are developing or have available aerostats that are mobile, but their capability is much less because they don't fly at the altitude of the aerostat in Florida. Their range is considerably limited.

At this point, both of the systems also have marine-type radars that would not be very appropriate against air traffic in the mountain areas. But we do expect that as developments continue, they will be very useful.

Senator HAWKINS. For the walking traffic that we heard about today, and the truck traffic, and the car traffic, et cetera, especially. The planes could probably fly higher, but—

Mr. MINTZ. Well, the radars that are currently available would not be very effective against tracking a truck, a vehicle, or people either.

Senator HAWKINS. Really?

Mr. MINTZ. No, Senator.

Senator HAWKINS. As you may know, I asked the Vice President to consider the possibility of stationing two permanent ship-moored radar balloons in the Yucatan Peninsula and the Windward Passage to choke those two points down. And I understand the Coast Guard is conducting a feasibility study and will be back to us shortly.

Would that help you, your department?

Mr. VON RAAB. Well, certainly. Any coverage out there would be helpful. I mean, as Congressman English pointed out, there's such a lack of coverage, that the more coverage we can receive, the better.

Senator HAWKINS. Thank you very much.

Senator DECONCINI. Thank you, Senator Hawkins.

Senator Wilson.

ROLE OF ADDITIONAL INTELLIGENCE PERSONNEL

Senator WILSON. Thank you, Mr. Chairman. Commissioner, before I begin my questions, I want to express personal appreciation for the excellent cooperation which your office has given to my staff, and for the fine job that Customs has been doing. Let me pursue the line of questioning that Senator Hawkins has begun with you.

In your comment, you indicated that you are going to be adding 66 additional intelligence personnel which are, as you termed it, I agree, more tactical than strategic, more operational in the analysis that they make.

If that's the case, how will they fit in in terms of the investigative role that's performed by DEA, and also how will they fit in with local agencies' investigations?

Mr. VON RAAB. Well, the intelligence specialists are not investigators, although it's quite possible that some of them have backgrounds as investigators. But there's basically an enormous amount of information. I won't necessarily call it intelligence. Some of it may be intelligence—that's available.

That's developed every day, either by the Customs Service or by DEA or by other organizations, such as State and local. The Customs Service is not using that very effectively right now. If a piece of information is developed in California, it may not make it as quickly to New York as it should, and so we're trying to improve that situation. And it is—it is being improved. But that sort of tactical information has not been shipped around the Customs Service as well as it should.

There's often a lot of criticism of DEA for not giving the Customs Service enough of timely intelligence. Well, DEA has a lot of things to do other than just sitting around trying to figure out what intelligence Customs would like to have that day.

The Customs Service has to go to DEA and ask for specific information. We don't do enough of that. We are not active enough in pulling together the intelligence that is already there. These additional—these additional resources will be responsible for designing a system, if you will, that will insure that information moves around the Customs Service quickly; that we do obtain information from other agencies in a timely way, and that when we do receive information from the other agencies, that we make sure that it goes to the right places.

I don't know if that helps you. But for the most part, these individuals are not going to be going out and, you know, peering through windows trying to collect information.

They're going to be trying to take existing information, existing intelligence already in the system, and putting it into an intelligence system.

INCREASED DEMANDS ON CUSTOMS SERVICE

Senator WILSON. Let me tell you then that is frankly what I was hoping you would respond. That makes a great deal of sense.

I'm a little concerned about what seem to be increasing demands upon the Customs Service at a time when you're being asked to cut back. I have in mind not only the discussion that we've been having here today, but also specifically the proposed legislation which would amend the existing Export Administration Act, which, as you're aware, calls for a new role to be performed by Customs, or at least an expanded role.

I don't know how you feel about this, but even without that, it would seem to me that you're in need of more personnel, and I would think more money for training. Is that true?

Mr. VON RAAB. First, let me just say that the Export Administration Act really does not give the Customs Service a new role, as such, but it depends on the particular version of the bill.

Senator WILSON. I'm talking about the Garn bill. It merely makes clear, in statutory language, a responsibility that the Customs Service already has, and one in which there's some confusion over the degree to which the Commerce Department is or should be involved. In terms of personnel for Operation Exodus, right now, we are operating off of a budget this year of \$30 million, and we have similar amounts adjusted for equipment, et cetera, as we move into 1985. At least we expect it.

So I don't think that the demands placed upon the Customs Service by the clarifications made in the Garn and Heinz bill would have any adverse impact on the personnel of the Customs Service.

We accept or continue all the responsibilities laid out in that act without additional resources.

You don't see that expanding your present function?

Mr. VON RAAB. I'm not quite sure what will come out of some of these statements made by the President with respect to increased emphasis on our concerns with exportation of Western technology to the Soviets. But we are quite satisfied with the present levels of our activities.

We feel that our inspectional program for Operation Exodus is operating a good deterrent. It's a pretty good net, and our investigative programs which are really the critical part of Operation Exodus right now have sufficient resources to handle the threat that they have identified up to this point.

Now, you can always have developments that take place that will require additional resources, as occasionally occurs in some of our financial work. But as far as Exodus is concerned, we're comfortable with our resources as proposed.

SECURITY OF TACTICAL COMMUNICATIONS

Senator WILSON. I don't want you to tell us publicly, but as you're making that response to Senator Hawkins on the other matter, I would like to know the status of the security of your tactical communications, and whether you think that they're susceptible to interception by smugglers.

And if you think that, what steps do you propose for correcting the situation?

Mr. VON RAAB. Well, I can give you some sense of that. I would say that a short time ago, they were a little on the weak side. However, we have recently begun to replace all of our radio equipment,

and convert it to what is technically called private rather than secure. Secure has these connotations of NSA classified traffic, which is certainly not the kind of communications handled by our mobile radios. And so we're comfortable with our program and the conversion planned for the next 3 years. Ray, do you think—

Mr. MINTZ. Yes, sir.

Mr. VON RAAB [continuing]. That within the next 3 years, we can convert all of Customs radios, that is, car radios, mobile radios, and I guess the hand held portables, and our base stations to what is known as private. That is, not NSA secure, but for all other purposes, it's a million to one shot that you'll be able to interrupt them.

DISPOSITION OF SERVICE-SEIZED EQUIPMENT

Senator WILSON. What about the equipment that the Service has seized? You mentioned in page 2 of your statement that you've seized 41 aircraft. What is done with these seized aircraft?

Mr. VON RAAB. Well, a lot of them just sort of sit there waiting for the courts to forfeit them to the Government. But what we try to do with them is to sell them and use the proceeds from the sale to purchase the kind of aircraft which we can put in our fleet.

It's a program that sounds terrific, and we're working very hard to obtain these aircraft, but to be perfectly candid, we haven't had an awful lot of luck yet. It turns out that these aircraft really don't seem to be worth too much because they've had to sit around for so long, and even though we do try to maintain them as best we can, they are not worth an awful lot. For example, we tried to sell—what was it? Eleven aircraft? Mr. Mintz, what did we get for the 11 aircraft?

Mr. MINTZ. I think it was about \$80,000 for a total of 11 aircraft—something of that nature.

Mr. VON RAAB. These are aircraft that you and I would love to own, but apparently they're not worth very much.

Senator WILSON. Well, why wouldn't it make more sense to maintain them and use them?

CUSTOMS SERVICE 63 AIRCRAFT

Mr. VON RAAB. The reason is that they just don't suit our mission. If anything, the 63 aircraft in our fleet right now contain too many clunkers. With all due respect to our pilots, they don't want to give any of them up, but they don't help us very much. They're good for ferrying people, for helping State and local enforcement groups.

But as we move into the better-equipped air fleet that we've been all talking about here, we intend to eliminate many of the single-engine and twin-engine aircraft that the Customs Service now has in operation. And unfortunately, those are typically the kind of aircraft that we seize.

For some reason, the aircraft that we seize are not particularly helpful for our missions.

NEED FOR ADDITIONAL LEGISLATION FOR CURBING DRUG TRAFFICKING

Senator WILSON. For the record, and rather than taking the time to do it now, I would ask you if you need any additional legislation to assist you in your function of pursuing the money trail. I would ask you further if you need any additional legislation or legislative authority of the kind that is currently contained in the proposed legislation to prevent those who engage in a high-profit traffic, from being able to post bail and jump bail and evade prosecution.

Mr. VON RAAB. We'd be happy to give that to you. There are some requests that we would make in the currency area. I would also say, if you will permit me, that it would be helpful if we could get some forfeiture legislation, too, because it ties in directly with what you were asking about. One of the reasons some of these planes sit around is that we basically don't have the administrative authority to forfeit them. It would take over \$10,000. Custom is authorized and therefore we must go to court for the forfeiture. It makes it very difficult.

Senator WILSON. Finally, Mr. Chairman, and then I will yield. I would be happy either in a closed session or if that's not necessary just on the record to have a little greater detail on Mr. Kelly's expressed optimism about improving cooperation with the Mexican Government.

Thank you, Mr. Chairman.

Senator DECONCINI. Senator Wilson, maybe the best thing to do is have a session on that done and perhaps the State Department ought to be involved in it, too. And we'll attempt to make such arrangements.

Senator WILSON. Arrange it for his convenience. It's a good idea.

Mr. VON RAAB. Let the Senator get it squared away before you get the State Department involved.

SUBMITTED QUESTIONS

Senator DECONCINI. Mr. von Raab, Mr. Kelly, thank you. I have a number of questions, but I'm not going to pursue them now due to time restraints. I will give them to you in writing. If you'd give them back to us in the next week or 10 days, we'll put them in the record. I want to thank you for being here.

I think dove season opens here pretty soon, and we would love to have you come back.

And we will now recess until 2:30. Promptly we will then go to Dr. Lawrence Korb and continue the hearing.

[The following questions were not asked at the hearing, but were submitted to the Customs Service for response subsequent to the hearing:]

SUBMITTED QUESTIONS

QUESTION: What have been the results of "Operation EAGLES" so far and what have your joint operations with the Mexican Customs Service told you about the type of drugs coming across the border and how they are being smuggled in?

ANSWER: "Operation EAGLES" results from 9/5/83, the first day of operation to 9/15/83, produced the following results:

Calexico:	3.6 grams marijuana
	8 units ODB
	2 CLETS arrests
	2 NCIC fugitives
San Ysidro:	\$62,438 currency
	38.14 grams marijuana
Sasabe, AZ:	1 - Jojoba bean seizure - 1,609 lbs.
Laredo:	\$5,204 currency
	2 NCIC fugitives
	2 Auto license plates recovered

It is still too early to obtain a definitive picture of drug smuggling trends as to type, location or volume.

QUESTION: What other legislation do you believe will help improve our drug interdiction effort?

ANSWER: The legislative initiatives are for the most part included in pending legislation. The legislation which USCS Air Operations Division feels are highest priority are:

1. Mandatory Sentencing: Upon conviction of a pilot on transportation or conspiracy to transport a controlled substance.
2. Increase maximum sentence to 5 years imprisonment and \$25,000 fine for utilizing altered or counterfeit pilot certificates, medical certificates in the furtherance of air smuggling or air transportation of controlled substances or contraband articles contrary to law.
 - a) Felony provisions of (2) foregoing would also be operative for pilot flying without a valid pilot certificate and medical certificate in the furtherance of air smuggling or air transportation of controlled substances or contraband articles contrary to law.
3. Increase maximum sentence to 5 years and/or \$25,000 fine for altering nationality markings on aircraft being utilized in the furtherance of air smuggling or air transportation of controlled substances or contraband articles contrary to law.
4. Strengthen requirement to replace small nationality/registration markings on all aircraft to 12" (twelve inch) size to be accomplished by 10-01-84 instead of waiting for next paint job or registration change as presently provided.
5. Require all aircraft to be retrofitted and all newly manufactured aircraft to display a data plate which includes serial number of aircraft (comparable to vehicle identification number (VIN) on motor vehicles) on a common location on exterior of aircraft such as under the horizontal stabilizer or forward of

the tail cone. This would allow visual corroboration of nationality/registration markings against manufacturers serial number (which is the only permanent identification). This would allow altered registration markings to be readily identified.

QUESTION: What specific results are you getting from the ground sensor program along the southwest borders in 1983? What type of intelligence are they providing you? What levels of activity have they been able to detect, and what specific seizures have resulted from ground sensor information?

ANSWER: Southwest Region Air Units are attempting to acquire anti-intrusion sensor and sensor activated analyst cameras for covert placement on suspect clandestine airstrips. Several camera/sensor systems have been assembled from a number of inoperative sensors (early Viet Nam vintage) and have been used on a very limited basis in Texas. These ventures were plagued by equipment failure due to condition of makeshift units.

Presently, there is a permanently installed sensor field in Arizona. However, this equipment is outdated military issue which is deteriorating rapidly.

In areas other than Arizona, mobile sensors are utilized. These units are portable and are placed in areas where intelligence indicates a smuggling threat. They are moved frequently as operational necessities dictate.

Sensors provide very limited information. They alert the monitoring officer that a vehicle has entered its area of control and can provide a direction of travel.

Customs data collection systems cannot break out specific seizures resulting from sensor alerts. It is important to note that a sensor is nothing more than an enforcement tool. Coupled with valid intelligence from informants, and other sources, a sensor can facilitate a case. Without additional information, sensors account for little in the way of narcotic interdiction.

QUESTION: Tell me what you currently have in terms of law enforcement personnel and equipment, and what you really need to do the type of drug interdiction job envisioned under the President's new accelerated interdiction effort. Be specific and tell me where you are strong and where the "gaps" are.

ANSWER: To further detail the Customs enforcement presence the number and deployment of Patrol personnel in the Southwest Region including air officers is as follows:

Regional Office	5	El Paso	39
Houston	34	Presidio	9
Galveston	17	Big Bend	5
Corpus Christi	5	Nogales	22
Port Arthur	5	Douglas	14
Lake Charles	3	Lukeville	7
Laredo	9	Yuma	9
Brownsville	16	Sells	13
McAllen	21	Tucson	30
Del Rio	7	San Antonio	17
Falcon	12	TOTAL	299

These figures exclude all temporary personnel.

See attached paper for proposed table of organization for the Office of Enforcement in the Southwest Region.

PROPOSED TABLE OF ORGANIZATION
OFFICE OF ENFORCEMENT - SOUTHWEST REGION

May 1983

<u>Organization</u>	<u>Current</u>	<u>Increases</u>	<u>Proposed</u>
Regional Staff	9	2	11 ^{1/}
Area Directors	0	4	4
Investigations:			
Houston Area	53	0	53
San Antonio	25	5	(30)
El Paso Area	15	5	20
Tucson Area	26	5	31
Total Investigations	<u>119</u> ^{2/}	<u>15</u>	<u>134</u>
Patrol (Land/Marine):			
Houston Area	64	8	72
San Antonio Area	71	9	(80)
El Paso Area	48	8	56
Tucson Area	73	0	73
Total Patrol (Land/Marine)	<u>256</u>	<u>25</u>	<u>281</u>
Patrol (Air): ^{3/}			
Houston ASB	16	9	25
San Antonio ASB	19	6	(25)
El Paso ASB ^{4/}	18	7	25
Tucson ASB ^{5/}	27	0	27
Total Patrol (Air)	<u>80</u>	<u>22</u>	<u>102</u>
Enforcement Support:			
Intelligence	4	8 ^{6/}	12
Sector/Radar	18	10 ^{7/}	28
Total Enforcement Support	<u>22</u>	<u>18</u>	<u>40</u>
 TOTAL OFFICE OF ENFORCEMENT	 <u>486</u>	 <u>86</u>	 <u>572</u>

-
- 1/ Includes Investigations/Patrol Staff
 2/ All Positions Located in Field
 3/ See Attachment II for Breakdown
 4/ Includes Albuquerque
 5/ Includes Phoenix
 6/ Four Positions Located in Field
 7/ Albuquerque Sector

QUESTION: How serious is the problem of airline or ship crews on commercial carriers smuggling heroin, cocaine, and other illegal drugs and why wouldn't it make sense to have crewmembers subject to search just like every other passenger traveling on suspect carriers?

ANSWER: In response to your concern over smuggling by airline crewmembers we realize that the use of commercial aircraft and vessels poses a serious threat as indicated by past seizures of multikilos of heroin, cocaine, and marijuana. In these instances, there is usually an intricate internal conspiracy involving several crewmembers and ramp/dock workers, both at point of origin and destination.

As to individual crewmembers smuggling independently, we have no recent intelligence indicating that their involvement is beyond the occasional occurrence. Crewmembers are accorded the same type of profile screening that any traveler would be subject. Those arriving on suspect carriers are subject to a more rigorous search, usually conducted on a blitz basis, i.e., the entire flight crew receiving an intensified inspection. The frequency of these blitzes is, again, based on intelligence and trends as well as results.

CUSTOMS: Drug Seizures: Latest Update: Narcotics Trafficking Report, p. 54

Your updated 1983 narcotics trafficking report (May 25, 1983) indicates that in 1982 in the Southwest region you made 29 heroin seizures totaling 33.3 pounds, 94 cocaine seizures totaling 305.9 pounds, 1483 marijuana seizures totaling seizures totaling 106,836 pounds, 516 hashish seizures totaling about 34 pounds, and 418 seizures of dangerous drugs totaling 1,467,122 tablets.

QUESTION: Could you give the Committee your current 1983 seizure data for the Southwest for each of these categories of drugs and make some projections for the balance of this year as to trends in quantities and types of drugs that Customs will seize?

ANSWER: Narcotic seizures in the Southwest Region during calendar year 1983 through July are as follows:

HEROIN SEIZURES	31
QUANTITY SEIZED (LBS)	65.9
COCAINE SEIZURES	81
QUANTITY SEIZED (LBS)	569.4
HASHISH SEIZURES	223
QUANTITY SEIZED (LBS)	26.4
MARIJUANA SEIZURES	1,371
QUANTITY SEIZED (LBS)	96,517.7
OTHER DRUG SEIZURES	322
QUANTITY SEIZED (TABS)	3,289,248

By the end of 1983, it is projected that the Southwest Region will seize 106.1 pounds of heroin, 711.8 pounds of cocaine, 28.0 pounds of hashish, 139,950.7 pounds of marijuana and almost 3.8 million tablets of dangerous drugs.

Customs: Threat: Heroin

DEA intelligence reports indicate that, despite eradication efforts by the Mexican Government, heroin continues to be the major drug threat to the Southwest borders. Their latest report on the heroin threat says that ounce and pound quantities of Mexican heroin are readily available in Phoenix and Tucson. Your June 1983 Enforcement Information Report indicates that heroin seizures for June totaled 83.25 pounds, with approximately 77% originating in Mexico. However, your Air Threat Assessment Report indicates that there is little intelligence to substantiate that Mexican heroin smuggling by private aircraft is a significant threat.

Question: If this is the case, can you tell us how heroin is getting across the border into the southwestern states and what specific measures your patrol and inspector personnel are taking to interdict heroin traffic?

Answer: Our information indicates that 77 percent of the heroin from Mexico entering the Southwestern United States enters primarily by private vehicle, 13 percent enters by private and commercial aircraft and 10 percent by commercial vessels.

Customs: Drug Threat: Cocaine

Although the cocaine smuggling threat does not appear to hit the Southwest as it does Florida and other southeastern cities, DEA has indicated that large shipments of cocaine aboard private aircraft have been confiscated as far west as New Mexico and that body carries of cocaine are frequent in Los Angeles. Another route mentioned by DEA is from Colombia to Mexico City, to a Mexican border town, and then across the southwest border into the U.S. by taxi.

Question: Tell us what you are finding in terms of cocaine trafficking in the Southwest, particularly Arizona, and what particular methods of entry are being most frequently used by smugglers?

Answer: Intelligence indicates that private aircraft are the primary means for cocaine to enter the Southwest Region, with commercial vessels and commercial air traffic also being used to transport lesser quantities directly from Colombia and other South American countries. Private aircraft smugglers and couriers traveling aboard commercial aircraft are also transiting Mexico enroute to the Southwest. Additionally, intelligence indicates that cocaine is also being smuggled into the Southwest via automobile, from transit locations in Central America and Mexico. To date, most such seizures have been from either U.S. citizens or citizens from South and Central American countries. While intelligence indicates that Arizona is receiving some of the cocaine smuggled into the Southwest, all indications are that it is less than is being smuggled into other areas such as Texas or California. Arizona has neither sea traffic nor direct commercial air links to South American source countries, leaving private aircraft, land border, and indirect commercial air links, primarily through Mexico. These account for only a small portion of the total cocaine smuggled into the Southwest. Smugglers prefer the direct links.

QUESTION: What measures have you taken to beef up your interdiction efforts at these stash sites and other suspected marijuana smuggling areas along the southwest borders?

ANSWER: Southwest Region personnel have carried on an awareness campaign to target remote area ranchers, cattlemen and oilmen by providing air and land smuggling profile information and toll-free telephone contacts to relay pertinent information to the appropriate Customs office. An ongoing program to provide similar information and contacts to state and local enforcement entities has been in place for a number of years. This program includes scheduled periodic air smuggling seminars at the State Police Academy for initial and recurrent training programs.

Additionally, a working relationship has been developed between DEA, Customs and Mexican authorities. Intelligence is collected, analyzed and shared with Mexico authorities who have made several seizures of stashes in Mexico.

QUESTION: What special NNBIS commitments of resources or initiatives can you point to now or in the near future that will disrupt the smuggling activity along the border? Give us three good examples of specific NNBIS--not Congressional or Customs--initiatives that have or will have this effect in the near future.

ANSWER: The southwest has and should continue to receive military assistance in the form of USAF AWACS flights; Hawk missile radar units and Army mobile radar units. These assets were suggested and requested by NNBIS in June of this year with full cooperation from the military.

Customs: Drug Threat: Air Threat to the Southwest (Kelly, Millhouse)

According to a recent Customs Air Threat Assessment, 15 major private aircraft trafficking groups have been identified in the Southwest, with eight of the groups getting their drugs from Colombia or other South American countries, Belize, and Mexico, and the other seven dealing primarily from Mexico.

Question: Can you give us more details on these groups or organizations; what type of drugs they are smuggling into the United States; where they are based in these countries; and where they appear to have connections here in the Southwest?

Answer: For the most part, two drugs dominate private aircraft smuggling: cocaine and marijuana. Most of the organizations are based in the United States, with those bases widely scattered. Probably the most frequently mentioned states are Florida, Texas, and California, in that order. Connections to the Southwest are widespread - in order to answer that question fully, each group would be the subject of an in-depth briefing.

CUSTOMS: Intelligence: Kelly's Attempt to Assign Six Customs People to EPIC

In El Paso, Commissioner KELLY, you indicated you wanted to assign six Customs people to EPIC to work primarily on tactical intelligence of interest to the interdiction effort. EPIC Director Larry Orton and you were seriously discussing this

possibility in El Paso two months ago. I believe this idea has merit.

QUESTION: What progress can you report to us on this matter--has EPIC agreed to allow you to beef up the tactical interdiction intelligence team at EPIC and, if not, why not?

ANSWER: Negotiations have been conducted, an agreement reached, and three Customs personnel will be assigned to EPIC to provide direct tactical intelligence support to the Southwest Region. A Memorandum of Understanding implementing the action is pending signature. The personnel are expected to report by November 1, 1983. Three additional Customs personnel may be assigned to EPIC at some future date.

QUESTION: What exactly will the intelligence coordination center at El Paso do differently from what is not already being done to coordinate intelligence at the El Paso Intelligence Center? Aren't these two centers duplicating each other?

ANSWER: The Intelligence Information Coordination Center at El Paso under NNBIS differs from the El Paso Intelligence Center in the following operational respect:

EPIC is a national/international intelligence coordination facility which among other operational support responsibilities--including intelligence coordination - collects, analyzes and disseminates usable enforcement information. It also serves as a data base capability supportive of NNBIS.

The IICC at El Paso operationally coordinates (as do all other NNBIS Regional Centers located at New York, Miami, New Orleans, Long Beach and Chicago) United States military support asset activity to be utilized in the El Paso Region in conjunction with all other Federal and state interdiction activities in that area.

Part of the coordination responsibility entails follow-up monitoring and recording of other interdiction seizures made elsewhere on the perimeter of the United States.

It maintains an administrative record of the disposition/outcome of regional interdiction cases involving the Border Patrol, the U.S. Customs Service, Drug Enforcement Administration and other enforcement agencies to include sentencing, dismissal or failure to prosecute seizers.

Conducts continuous operational liaison with state and local agencies in the region involved in the illicit narcotic interdiction effort.

QUESTION: What specific plans have you developed to provide proper maintenance of the P-3's, C-12's and Black Hawks, and what specific steps have you taken to date to develop an operational command system for deployment of these aircraft? Be specific and give us cities, military bases, and any contractual arrangements that might be a part of these plans.

ANSWER: Customs plans to centralize the maintenance for the P-3 aircraft. A study will be undertaken to determine the best location; however, it appears that it may be New Orleans. The military loaned C-12's and Black Hawks will be maintained through our

normal national maintenance contractor, as well as other appropriate maintenance facilities.

Effective October 1 Customs Headquarters in Washington will centralize the deployment of all our major aircraft. This will ensure that our equipment will be utilized in the most effective way possible. Consideration is also being given to stationing a Headquarters employee at the New Orleans P-3 site to facilitate the maintenance and operational deployment of the P-3.

We have developed a preliminary deployment plan for the P-3's, C-12's and Black Hawks. These plans are subject to change, of course, as the air smuggling threat changes and priorities dictate:

P-3 (New Orleans, Tucson, Jacksonville, Miami, San Antonio, San Diego and El Paso. The eighth P-3 would serve as a replacement for others that are down for routine maintenance).

C-12 (San Diego (2), Houston (2), Jacksonville (2), Miami (3), San Antonio, New Orleans, El Paso and Tucson (1) each).

Black Hawk (Miami, Jacksonville and New Orleans).

Customs: Drug Threat: Trafficking Routes of SW Smuggling Groups (Kelly, Millhouse)

This same report identifies a number of air trafficking routes to the southwest U.S. drug market, including the Yucatan Channel, the Central American route, and routes through Mexico. Perhaps Mr. Kelly or Mr. Millhouse could handle my question on this issue.

Questions: Could you tell the Subcommittee in more detail exactly what your intelligence tells you about the trafficking routes, patterns, and landing sites in southwestern border states? I am particularly interested in the seven air smuggling groups operating in the Southwest who are primarily using Mexico to smuggle drugs.

Answer: Exact details concerning the air routes through the Yucatan Channel, through Central America and through Mexico are not available because the routes vary from flight to flight, with only general routing remaining identifiable. Two things are important to the smuggler - using a route that lies within the capabilities of the aircraft and avoiding possible detection and apprehension. To this end specific refueling or transfer airfields may be arranged for in Central America and Mexico but airfields used may vary from group to group, and often flight to flight. Several groups scout border crossing points and test techniques to avoid detection by radar. Much of the experience gained by smugglers in past years is then passed on to other smuggling pilots.

The smuggling groups operating in the Southwest that use Mexico, either for a source country or transit location, were identified using DEA files. This information is now over one year old, and while the situation in general has not changed significantly, it is probable that those groups have changed.

Customs: Intelligence from DEA and Other Intelligence Agencies
(Millhouse, Kelly)

DEA Administrator Mullen testified this summer that the "El Paso Intelligence Center (EPIC) continues to grow as a full-service intelligence center, providing 24-hour tactical intelligence to Federal and state law enforcement agencies around the country." This statement and other DEA assertions that it provides "time-sensitive" intelligence to interdiction agencies seems to fly in the face of testimony given during Congressman English's series of field hearings this past year. Time after time, witnesses from Customs and other agencies claim that it is rare when they receive unsolicited, time-sensitive prior information from DEA or EPIC that will tell the men in the field where, when, and how the drug smuggler is coming across our borders. Regional Commissioner Villanueva said in San Diego that he did not recall a single incident where such prior information was given and led to a seizure.

Question: Give us your candid assessment of the timeliness of the intelligence that your Air Support Branch in Tucson receives from DEA and EPIC, and then give us three concrete examples in the past year where you received time-sensitive tactical intelligence that actually led to a seizure and arrest?

Mr. Kelly, can you give us your views on this matter and give us three examples of where EPIC or DEA picked up the phone and called Customs in your region, with specific, tactical prior information on a potential drug smuggler that led to a Customs arrest or seizure in the last few years?

Answer: As the attached chart indicates during the period from July 1 through September 12, 1983, Customs made a total of 11 seizures of narcotics from information furnished by DEA and 5 seizures from information furnished by EPIC. Customs made a total of 557 seizures of narcotics during this period. This is 1.8 percent and 1 percent of the total seizures made by Customs from DEA and EPIC information respectively. Fourteen percent were made from Customs information.

1 July - 12 September 1983

	HEROIN #	COCAINE #	MARIJUANA #	HASHISH #	D/D #	TOTAL #	SEIZURES %
NPI	43	105	216	20	77	428	77
DEA	2	6	3			11	1.8
EPIC		2	3			5	1
USC	7	20	37	5	9	78	14
STATE/LOC	1	6	4			11	1.8
OTHER FED		1	7		1	9	1.8
NNBIS			1			1	.5
OTHER	2	5	5	1	1	14	2.4
TOTAL	55	145	276	26	55	557	

QUESTION: If the President's 1984 budget is approved and the 2,000 position cut goes through, what specific reductions in inspectors, patrol officers, agents, and other law enforcement jobs would have to be applied to the southwest border, and what would be the effect on drug interdiction law enforcement next year? Be specific and tell us how you would apply these cuts in the southwest border states of Texas, New Mexico, Arizona and California?

ANSWER: Customs will be taking a net reduction of 1,775 positions in FY 1984. At this time, it is not possible to determine how the cuts will be implemented. Prior to implementing any reductions, Customs will be performing a current workload analysis for determining which regions, districts, and/or ports would suffer the least operational impact.

Enforcement will remain a top priority within the Customs Service. You can be assured that we will continue to have a strong enforcement presence in those areas of the nation where the smuggling threat is greatest.

QUESTION: How many of these positions have been targeted for southwest intelligence and what specific information have these people uncovered so far about the southwest border drug-smuggling threat?

ANSWER: The Commissioner of Customs authorized 50 intelligence positions for the regional intelligence branches. These positions are to enhance the tactical capabilities of the regional enforcement efforts and to provide for greater coordination between the Customs field enforcement officers and Federal law enforcement agencies within the regional boundaries. These field units will interface with the national level through the Headquarters Intelligence Division. The field intelligence positions include special agents, patrol officers, inspectors, import specialists and intelligence analysts, which will provide expertise from these varied disciplines. A more detailed explanation of each region's progress toward operational use of the regional intelligence units is available.

The Regional Intelligence Unit for the Southwest Region received 5 of the 66 additional nationally allotted positions. The Southwest Region has five intelligence analyst positions authorized. Positions for one agent, one patrol officer, one import specialist, and one inspector for the Intelligence Unit have been announced. Since the Unit is still in a formative stage no significant information has yet been developed.

QUESTION: Would you support Customs having this authority and if such authority is approved by Congress, what effect do you feel it would have on Customs drug interdiction efforts?

ANSWER: The fragmentation of the investigative process and the lack of feedback to Customs following seizures of aircraft and contraband and the arrest of violators was identified as a major problem in the Congressionally mandated Customs Air Interdiction Strategy Study concluded in March 1980.

The Customs Service strongly recommends the adoption and delegation of this invaluable enforcement tool for maximum application and utilization in strategic and tactical air interdiction program response and deployment modes. It would greatly enhance our drug interdiction capabilities. •

[Afternoon Session]

DEPARTMENT OF DEFENSE FOR MANPOWER, RESERVE
AFFAIRS, AND LOGISTICS

MANPOWER, RESERVE AFFAIRS, AND LOGISTICS

STATEMENT OF DR. LAWRENCE J. KORB, ASSISTANT SECRETARY OF DE-
FENSE FOR MANPOWER, RESERVE AFFAIRS, AND LOGISTICS

INTRODUCTION OF DR. KORB

Senator DeCONCINI. I think we'll come to order. The subcommittee will reconvene at this time. The other members will be along in just a moment, although Congressman English has had to leave. We were very pleased that he joined us.

We are very pleased to have Dr. Korb, Assistant Secretary of Defense for Manpower, Reserve Affairs, and Logistics, with us today, and we'll proceed with your statement.

Dr. KORB. Mr. Chairman, with your permission, I'd like to summarize my statement and submit the whole statement for the record.

Senator DeCONCINI. Without objection, the full statement will be put in the record.

[Curriculum vitae submitted by Dr. Korb:]

President Reagan nominated Dr. Lawrence J. Korb as Assistant Secretary of Defense (Manpower, Reserve Affairs, and Logistics) on April 1, 1981. He was confirmed by the Senate on April 27, 1981, and sworn in on May 4, 1981.

In this position, Dr. Korb administers about 70 percent of the entire Defense budget and has responsibility for: recruiting, retaining, and training the five million, active duty, Reserve, and civilian employees of the Defense Department; maintaining this nation's worldwide military base structure; providing logistic support to the land, sea, and air forces of the United States, and establishing the Department's energy, environment, safety, occupational health and equal opportunity programs.

Doctor Korb was born on July 9, 1939 in New York City and educated at Athanæum of Ohio (B.A.—1961), St. Johns University (M.A.—1962) and the State University of New York at Albany (Ph.D.—1969). He served on active duty as a Naval Flight Officer from 1962 to 1966 and is presently a Captain in the Naval Reserve.

Immediately prior to joining the administration, Doctor Korb was Resident Director of Defense Policy Studies at the American Enterprise Institute for Public Policy Research.

He has held several major academic positions, among them: Assistant Professor of Political Science, the University of Dayton, 1969-1971; Associate Professor of Government, U.S. Coast Guard Academy, 1971-1975; Professor of Management, U.S. Naval War College, 1975-1980; and he is presently Adjunct Professor in the National Security Studies Program at Georgetown University.

Doctor Korb is also a Fellow of the Inter-University Seminar on the Armed Forces and Society (1971-present); a Member, Council on Foreign Relations (1980-present); and a member of the International Institute for Strategic Studies (1982-present).

In the past he has served as a Consultant to the Office of the Secretary of Defense; to the Office of Education; and to the National Security Council; Doctor Korb has been selected as an outstanding Educator of America on two occasions. He also served as the Chairman of the International Studies Association Section of Military Studies (1973-1976) and is listed in American Men and Women of Science and Who's

Who in America. Doctor Korb also was a Member of the Defense Advisory Committee for President-Elect Reagan (1980); and a Member of the Transition Team, Arms Control and Disarmament Agency (1980).

Doctor Korb has published over 85 books and monographs, articles and professional papers on defense issues and budgetary considerations, including *The Joint Chiefs of Staff: The First Twenty-Five Years* and *The Fall and Rise of the Pentagon*. In addition, Doctor Korb has lectured widely on national security policy and has appeared as a guest on such national programs as the *Today Show*, *Good Morning America*, *McNeil-Lehrer*, *60 Minutes*, and the *Phil Donahue Show*.

DOD EFFORTS IN WAR ON DRUGS

Dr. KORB. Mr. Chairman, Members of the Senate and the House of Representatives, I am honored to appear before you today to discuss current Department of Defense efforts in support of the Reagan administration's war on drugs.

But before getting into my discussion, I would like to say how pleased I am to have the opportunity to be here in Phoenix. As you know, Mr. Chairman, your State makes many important contributions to the defense of our Nation.

In addition to the many men and women from Arizona who have served, and continue to serve, so honorably in our Armed Forces, Arizona hosts such vital defense installations as Luke Air Force Base, Fort Huachuca, the Yuma Proving Grounds, and Davis-Monthan Air Force Base. Twenty Arizona defense facilities are home to more than 23,000 service men and women and provide jobs to almost 10,000 civilian employees.

The Defense Department is contributing to the antidrug effort to the maximum extent possible under current law, and under the resource and military preparedness constraints with which we must abide.

DOD ROLE IN DRUG EFFORT

Before addressing the specific issues affecting our support to the civilian drug law enforcement community, let me put the DOD role in perspective by making a few preliminary remarks.

First, under the legislation passed in December 1981, DOD acts as a service provider—or a form of subcontractor—to the civilian drug law enforcement community.

Second, this law expressly forbids DOD's direct participation in arrest and seizure activities, or in any other form of law enforcement—except, of course, where allowed under other statutory authority.

Third, with some legal exceptions, the law limits personnel assistance to matters of aerial surveillance and emergency assistance outside the land area of the United States involving the transportation of law enforcement officials and the creation of bases of operations.

And finally, the considerations of military preparedness and reimbursement must affect all of our decisions. National security cannot be undermined as the Defense Department meets its other responsibilities under the law.

MILITARY ASSISTANCE TO CIVILIAN AGENCIES

With this legal framework in mind, I would like to outline the typical forms of major military assistance being given to civilian drug law enforcement agencies. Most of these forms of assistance have been provided in recent months and are continuing today.

The military assistance to date has been provided along all of our border regions, with the heaviest concentration in the south Florida and gulf regions. Much of the DOD assistance has come from the Navy. Their E-2C radar squadrons are flying surveillance missions in support of Customs Service requirements. Some of this support in the Gulf of Mexico has come from a reserve E-2C squadron operating out of New Orleans. Navy P-3 antisubmarine warfare aircraft support the Coast Guard in detection of traffickers coming through the Yucatan Straits.

NAVY EFFORTS

All Navy ships operating in coastal and nearby waters are continually vigilant in seeking suspect vessels. In the Florida keys, a six-ship Navy hydrofoil squadron has proved to be especially useful in support of civilian interdiction activities; fortuitously, the ideal training for their wartime mission is virtually a "perfect fit" with the drug interdiction effort. Some Navy vessels carry Coast Guard boarding parties, which are called Taclets, [Tactical Law Enforcement Teams]. The reason for the Taclets is twofold: First, as mentioned earlier, since DOD personnel may not become directly involved in interdiction operations, the Taclets conduct actual boarding of suspect vessels; second, maritime law enforcement is the responsibility of the Coast Guard.

ACTIVITIES OF MARINE CORPS

The Marine Corps has been operating OV-10D aircraft in conjunction with the Customs Service. Although relatively slow and low flying, these "Bronco" airplanes are equipped with forward-looking, infrared sensors. The so-called "FLIR" provides the aerial observer with exceptionally good nighttime vision, adding a long needed technological improvement to the Customs Service effort.

AIR FORCE ROLE

The Air Force is also playing a substantial role in assisting drug law enforcement efforts. In the gulf region alone, Air Force C-130 aircraft have flown frequent training missions in support of the drug enforcement community during the past few months. B-52 aircraft on routine training flights add to the information base on suspect vessels. AWACS radar aircraft are also used quite extensively along the Southeast, gulf, and Southwest border areas.

The Air Force has also been providing assistance to the Drug Enforcement Administration in the Bahamas. There, a twin-engine, night capable, over-water helicopter unit has helped DEA and Bahamian authorities produce an impressive record of drug interdictions, including an unprecedented operation on the July 4th weekend when nearly \$320 million of drugs was seized.

In addition to providing aircraft support, the Air Force has also signed agreements with the Customs Service granting them access to all information obtained in the combined Air Force/FAA joint surveillance system. In addition to this nationwide system of ground-based radars, the Air Force—with the cooperation of the Navy—has tied the balloon borne radar in the Florida Keys into the Customs Service command center in Miami. By the end of this month, the Air Force will have a second balloon system in operation at Cape Canaveral Air Force Station.

The Customs Service and the Air Force are examining the possibility of collocating the Customs command centers in Air Force regional operational control centers at Tyndall Air Force Base, Florida, and March Air Force Base, California. This action would provide the Customs Service with better identification of airborne suspects because of direct access to the North American air defense command and control system.

HELICOPTER CONTRIBUTION BY ARMY

The Army has provided the Customs Service with five helicopters, four Cobras, and one Blackhawk. These aircraft have proved to be valuable in the interdiction effort. In two recent training exercises to assess the value of ground mobile air defense radar in the interdiction effort, Army personnel from Fort Bliss, Tex., deployed air defense radars to sites across the Southwest. In both cases, the sites were identified by the Customs Service as highly suspect air corridors for the movement of illegal drugs. Analysis of these operations is continuing.

Two examples of Army assistance right here in Arizona typify how slight modifications in training programs benefit both DOD and civilian drug law enforcement efforts. The U.S. Army Intelligence School at Fort Huachuca has been working hard to make training programs more realistic and meaningful to its students. Of particular concern was the training of Mohawk crews and image interpreter/ground surveillance radar and sensor operators. Traditionally, most of the training was given in the classroom with hands-on efforts limited to facilities on the installation or flight paths which would not be like those expected on future operational missions. The Army, after extensive study, has proposed two program changes.

HAWKEYE PROGRAM

The first, entitled "Hawkeye", would change the flight path for Mohawk training flights. These training flights were flown on a loop north of Fort Huachuca. Hawkeye would redesignate their flight paths to the south of the fort, where they would have more utility in assisting Customs' interdiction efforts. During these flights, scenarios more commensurate with actual operational missions could be used. In addition to enhancing the realism of the training, the Army will be able to provide valuable information to Federal law enforcement authorities. Currently a data base of image information is being developed. Soon all collected information will be compared to this data base and variances—such as new holes in fencing, increased usage of trails and roads, or alterations

in terrain—will be provided to appropriate law enforcement officials. Additionally, all aircraft crews are being trained to identify suspect low flying aircraft penetrating U.S. airspace and a dual channel reporting system will provide real time information to customs officials in Tucson.

GROUNDHOG PROGRAM

The second program, called groundhog, proposes to move the training of ground surveillance radar [GSR] operators and eventually sensor operators out of the classroom for a 4-day field training exercise. An area near Yuma Marine Air Station has been proposed because of its ideal terrain. Students would follow a tactical scenario to emplace GSR and sensor equipment looking for evidence of intrusion. Typical intrusion closely approximates the efforts of enemy forces infiltrating lines or crossing defended boundaries. The proposal calls for direct communication with interested drug law enforcement authorities to point them to the expected areas of intrusion. Additionally, the proposed location is ideally suited for visual observation of low flying suspect aircraft that would be reported as well. This program, once fully operational, can provide 160 days per year coverage of the designated area.

Because all of the missions undertaken in support of the drug interdiction program involve the expenditure of funds, I would like to mention the fiscal aspects of DOD assistance.

REIMBURSEMENT FOR PROGRAMS

With respect to reimbursement, it is our policy to help civilian agencies in identifying the types of assistance that can be provided on a nonreimbursable basis. Most of the assistance we have provided since passage of the new legislation has not required reimbursement. This is because the support has been incidental to normal military operations, or we have otherwise obtained training benefits that are substantially equivalent to our own training programs. For example, AWACS flights which accomplish military training are provided on a nonreimbursable basis.

The legislative history of Public Law 97-86 repeatedly emphasizes that the new legislation was intended to remove certain constraints on military assistance imposed by the Posse Comitatus Act. It was not designed to transfer budgetary responsibility for civilian law enforcement functions from other agencies to the Department of Defense. To the extent that we do not obtain any direct training or operational benefits from the provision of assistance to another agency, and reimbursement would otherwise be required under the Economy Act, our directive requires reimbursement. For example, in the straightforward loan of military equipment for use by a law enforcement organization to perform the mission of that agency, we require reimbursement for marginal costs.

EQUIPMENT LOANS ON REIMBURSABLE BASIS

In this regard, the Secretary of Defense has agreed to lend the Customs Service various types of equipment on a reimbursable basis.

The Navy and Air Force, working with the Customs Service, will configure a P-3A Orion aircraft with an Air Force F-15 [APG-63] radar system. If this system is effective in meeting Customs' needs, up to six P-3A's could be similarly configured and loaned. Assuming moneys are appropriated for replacement radars and the configuration work the conversion of the prototype P-3A will cost \$3.75 million, exclusive of the cost of the radar.

The Army will lend Customs eight modified C-12A aircraft provided that moneys are appropriated for C-12D replacement models which must be delivered to the Army before the others are lent to Customs. The House Armed Services Committee recommended authorization of \$11.8 million for six C-12's for fiscal year 1984, and further authorized the loan of four of them to Customs.

Additionally, the Army has been working to provide Blackhawk helicopter support to the Customs Service to assist with interdiction efforts. I am pleased to say that, after some intense discussions to assure uninterrupted Blackhawk deployment to field units, the Army will lend three of these most advanced helicopters. The deliveries to Customs should take place sometime around the first of the calendar year.

In each of these cases I have just cited, the Customs Service would be responsible for organizing its own maintenance and support contracts.

FORMATION OF NNBIS

As you know, Mr. Chairman, the administration's efforts to end drug smuggling are an added responsibility assigned by the President to the Vice President. On June 17, Vice President Bush announced the formation of the National Narcotics Border Interdiction System [NNBIS].

The highly successful South Florida Task Force served as the model and has become the blueprint for establishing similar NNBIS operations centers in New Orleans, El Paso, Long Beach, Chicago, and New York.

The DOD has assigned highly qualified, technical people to help operate these six NNBIS centers. I believe the combination of skilled civilian drug law enforcement officials and military personnel, working together in an ever-improving operational system, will enable our Nation to win the war on drugs.

The Defense Department is proud of its role in providing support to this worthy goal.

Mr. Chairman, I'll be pleased to answer any questions that you have at this time.

USE OF GUARD AND RESERVE UNITS

Senator DECONCINI. Doctor Korb, thank you very much. I want to first thank you for the tremendous effort you've put forward. I think we will continuously kind of hound you a little bit to expedite the transfer of equipment. It's always difficult for us to understand why it can't be done yesterday. But I understand that your help and the information you just gave us regarding the three additional helicopters is certainly an indication that the Department of Defense understands the need to move as rapidly as we can.

Senator Hawkins mentioned to me this morning about the Georgia Army National Guard air wing based out of Atlanta has been flying OV-1 Mohawk surveillance missions in support of our drug interdiction efforts in the Southwest. And I asked my people if we could find out about Arizona. It so happens they anticipated that question and gave me some suggestions to submit to you.

And I wonder if you'd explore with Customs and the Coast Guard, the possibility of using other Guard and Reserve units to fly training missions in support of drug interdiction activities along the southwest border. Is that possible to accomplish?

Of course, our particular interest is the Davis-Monthan Air Force Base, Luke and Fort Huachuca, that does have a sizable amount of resources, not to mention the Air Guard being their main training station for the Nation, I believe is located in Tucson.

So I wonder if you could give us any update on that

Doctor KORB. Well, Mr Chairman, we have provided the coordinating authorities in this area at the—in Washington, a complete list of all the Reserve assets in the whole country, and tell them that that's available along with our active duty assets. And as I say, our role is really to be a provider. So they're aware of the capabilities that we have in the Reserves. And at any time if they request it, we would be more than happy to—

Senator DECONCINI. That's been provided to various agencies?

Dr. KORB. Yes; that's correct.

Senator DECONCINI. As of when?

Dr. KORB. Actually, that was provided last fall.

Senator DECONCINI. OK.

Dr. KORB. In fact, as I can tell you, I worked one whole weekend on that to make sure the list was complete because it came to my desk late on a Friday, and it had to be—we had promised it to the coordinating committee and the Vice President's Office by Monday. So we worked all weekend to make sure—

Senator DECONCINI. In your judgment, are there substantial assets there, if you recall?

Dr. KORB. Well, again, when we provided it, the operation had not yet gone nationwide. It was focused primarily on south Florida at that time. And as you know, down in south Florida, the south Florida area, we have not only had the Army Guard involved, a lot of out P-3's that we've used have been Reserve squadrons. And so I think that this is the type that can be used in other parts of the country.

I think a lot of people don't understand that our Reserves actively, basically use the same type of equipment. We have what we call a total force in the Department, and units get equipment based not on whether they're active or Reserve, but based upon their war-time mission.

And in many cases, the Guard and Reserve will deploy before some active units. So their equipment is just as good.

Senator DECONCINI. Thank you. Well, that's very helpful. and I'm glad to know that that's already been pursued.

REQUESTS FROM CUSTOMS SERVICE

Have you had any requests from Customs or anyone?

Dr. KORB. Well, the requests, not other than in south Florida. Now again, when we get a request, it's not necessarily active or Reserve. We get a request to provide service, and then we say basically to the people, well, we can do it this way and they really don't care if it's active or Reserve, as long as it gets done.

Senator DECONCINI. I see. I understand. Thank you. Your statement today indicates that you're still committed to lending a total of eight C-12 tracker aircraft to Customs, and notes that the DOD authorization conference report grants the purchase of six new C-12D's trackers next year, and directs the loan of four C-12A's to Customs in fiscal year 1984.

C-12 COMMITMENT TO CUSTOMS SERVICE

On July 8, the Commissioner of Customs, Mr. von Raab, wrote you a letter requesting the immediate loan of four C-12 aircraft until the eight upgraded C-12's could be acquired. This committee has recommended \$1,273,000 for operation and maintenance of the eight C-12's for fiscal year 1984, and another \$4 million for modifications and equipment for the C-12's and/or the tracker aircraft that might become available to Customs.

Could you tell us in any detail whether or not the C-12 commitment to Customs is on track; give us the specific delivery time for those C-12's that you envision, assuming Customs meets its obligations and we provide the O&M money in 1984.

Dr. KORB. Yes; I could probably give you that in more detail than you may want to digest at this particular time. Our agreement was to provide the C-12's when we got the new C-12's authorized by Congress.

As you probably know, we're very short in the department on C-12's. We have a shortage of about 400. We have 200. We should have about 600. And what we will do is as the new C-12's come off the line, we will provide the older, if you will, or the earlier versions, to Customs. We will move out a little bit ahead of the actual delivery. We will not—you know, we will wait as they start coming down.

For example, we expect that sometime in fiscal 1985, that we will provide four C-12's while we will only have in 1985, because of the long lead times for these to come into the force. So essentially what we're doing, and we made this agreement with Customs, and it was put in a letter by Secretary Weinberger and myself, is that as these things begin to come, they will begin to go. And as I say, we expect four to actually move during fiscal year 1985. And in late fiscal 1985, we expect two more to go.

So I would say, for example, right now, it looks like between October 1984, and January 1985, there will be four C-12A's. Two more will go between January 1985 and October 1985, and the final two between October 1985 and January, 1986.

P-3 SURVEILLANCE AIRCRAFT

Senator DECONCINI. OK; thank you. That's helpful to have those dates.

I'd like to move to the area of the P-3's, the surveillance aircraft, and I'd like to, if you can, clarify when we realistically can expect

to have the first one in delivery. I understand that the F-15 radar, and the airplane itself is in California; is that correct?

Dr. KORB. That's correct.

Senator DECONCINI. Is the actual radar there also?

Dr. KORB. That's correct. It is.

Senator DECONCINI. And I'm also advised, just today, that it may be as much as 9 months before that is finished, and that plane is turned over to Customs.

No. 1, can you confirm a date or an estimated date; and No. 2, is it possible to expedite that at all? And can you help in that expediting process?

RADAR-EQUIPPED P-3A'S

Dr. KORB. Well, we have a couple of factors here. We have the question of P-3A's, and then we have the P-3A configured with the F-15 radar.

Customs, as you know, is testing whether, in fact, that's the system that they want. If this—if it works to their satisfaction and they want the P-3A, F-15 radar combination, then as long as we get the monies from Congress to buy the F-15 radars, we can put those two together.

We are in receipt of a letter from Customs in August to get more P-3A's, and we have asked the—the Navy whether, in fact, they can provide these extra P-3A's.

I received the request the 1st of September. I told the Navy to let me know by the 16th, whether they could deliver these P-3A's. I don't really anticipate any problems because the—we have additional P-3A's right now that are really kind of—we would need only in an emergency or surgetype of situation because the Navy is buying P-3C's now, and we're putting P-3B's into the Reserves.

So I don't anticipate any problem with the P-3A's. I believe the real question is the radar configuration.

Senator DECONCINI. Well, the radar involved here, is this on the shelf radar?

Dr. KORB. Yes.

Senator DECONCINI. Buy yet, it has to be authorized?

Dr. KORB. Well, we cannot, for example, give away radar without replacements authorized and appropriated by Congress. We don't have any extra radars.

Senator DECONCINI. No; that's the reason for my question.

Dr. KORB. So what we need to do is go out and buy them, and under law, we would have to seek reimbursement. The F-15 is still an ongoing program. They are still producing them.

The P-3A's; we no longer make them. We're now into the C models in the fleet, and so the A's, in effect, are excess. So that's not the problem. The problem is going to be the radar.

Senator DECONCINI. What about the radar that's already there, that's already been turned over?

Dr. KORB. Well, the radar—

Senator DECONCINI. How is that handled?

Dr. KORB. If Customs were to come and make a request for us, it would be considered at that time. Right now, at Customs' sugges-

tions, and Congressman English's suggestion was to use the F-15 radar because of the unique capabilities it has to detect aircraft.

Senator DeCONCINI. I'm talking—excuse me, Doctor. I'm talking about the one that's already there.

Dr. KORB. Yes, but the P-3 has an antisubmarine warfare radar. That's not going to detect aircraft.

Senator DeCONCINI. I understand there's an F-15 radar in Burbank with the P-3 there now. I'm talking about that.

Dr. KORB. That's being tested.

Senator DeCONCINI. Isn't that an existing radar, ready to go?

Dr. KORB. Yes, that's right. It is an existing F-15 radar fitted into a P-3. The money had been authorized to do this.

Senator DeCONCINI. For that one?

Dr. KORB. Yes.

CUSTOMS REQUEST FOR ADDITIONAL P-3A'S

Senator DeCONCINI. OK; we realize that. All right. Now can you give me your reaction if there was a request from Customs for an additional two P-3A's in fiscal 1984, what's the reaction to that? Is that possible to come forward with?

Dr. KORB. Just the airframe, without radars; I don't anticipate any problem at all with that.

Senator DeCONCINI. Thank you. I'd be glad to yield to the Senator from Florida.

DEPLOYMENT OF AWACS AIRCRAFT

Senator HAWKINS. You've covered most of the questions, Senator. But, Doctor, the Appropriations Committee has been advised that the Air Force deploys its AWACS aircraft in support of the drug interdiction effort in the daylight hours; is that correct?

Dr. KORB. I don't think it's confined just to the daylight hours, Senator.

Senator HAWKINS. Would you find out for me?

Dr. KORB. I can check that, but I don't have any information that it's just in daylight. My understanding is that it's an all-weather, all-time type of situation, but I would be happy to check that.

[The information follows:]

USE OF AWACS IN NIGHTTIME

The AWACS is indeed an all-weather, all-time capable aircraft. However, it is not used in nighttime drug interdiction operations. This is because it rarely flies in the areas of interest to nighttime Customs operations. Such night flights would constitute a "dedicated" mission. There is some night training with F-15's and AWACS; but this, too, is done with infrequency compared to daytime operations and is known to be relatively risky to aircrews.

EFFECT OF POSSE COMITATUS ON READINESS

Senator HAWKINS. If you would, and supply it to the members of the committee. You heard Congressman English this morning talk about readiness. Has posse comitatus affected readiness in the eyes of the Defense Department?

Dr. KORB. No; it hasn't, and I think that's a very important consideration. Because if we have a request that we think will impact

on readiness, usually we tell—we explain to the requesting agency why we think so, and suggest alternative ways to provide them with the same service.

And up to now, for example, what we do in AWACS missions are flown for training purposes, and they can be flown in a number of areas.

If Customs comes to us and says we suspect a certain number of drug traffickers in a particular area, then we have the training flights go into that particular area. So, in effect, we are fulfilling two needs at once. We're getting our training. We have the AWACS mission going out providing the information that Customs needs.

At certain times, if we were doing this for quite a while, we may even have a customs person on the plane to monitor the radar along with our people. But I think that's very important to keep in mind. That is essentially the way that we have of doing it, so that if you will, two birds are killed with one stone. We get our training and, in fact, sometimes the morale of the pursuers is enhanced because they recognize it's a real, live mission rather than by training, which by its nature can be routine and dull.

REIMBURSEMENT POLICY

Senator HAWKINS. The Department of Defense's regulations specify that as a general matter, reimbursement is required when services are provided outside the DOD. And since you have the authority to waive this reimbursement policy, does the Department regularly charge the other government entities for its participation in drug interdiction matters?

Dr. KORB. Essentially, we are pushed to the full extent, both of the posse comitatus law and the Defense Economy Act. It lays down the parameters under which we must seek reimbursement.

In the vast majority of cases, we do not because as the law states, there has to be no benefit to the Department of Defense before we must seek reimbursement. And the situations in which we have, have been very, very, very small compared to the scope of the overall effort.

Now, for example, if we had to charge the full cost of an AWACS flight, it would run into the thousands of thousands of dollars. But because there is a training benefit to the Department of Defense, we do not seek reimbursement for it.

PROBLEMS IN SOUTHWEST WITH NNBIS

Senator HAWKINS. You heard the testimony this morning that the local law enforcement gentlemen stated that they were having some difficulty in this region with NNBIS, and if any other meeting was called, they may not have the time to go to a show and tell.

Would you tell me how you envision the Department of Defense's ability to support the Southwest drug enforcement community so we don't have that kind of testimony?

Dr. KORB. Well essentially, we're operating as you well know, under the south Florida model, if you will. And what happened there is we have military people at these centers. We have been

asked to assign people to perform certain functions. We have done that. When a request comes in to us, we see the extent to which we can provide the service. If there's a problem, normally we work it out with the coordinators in Washington.

And to my knowledge, there has never really been an unresolved problem.

Senator HAWKINS. Do you mean all is well here in the Southwest?

Dr. KORB. Even in the Southwest. I mean our experience is new. This just started in June, for example.

Senator HAWKINS. Oh.

Dr. KORB. We've got just one calendar year quarter of experience because remember, these other centers were not established until June, and we really have not had a problem. In fact, I would say that in the Southwest, the Department has been very, very innovative. We have not just waited, if you will, until people have come to us.

The example I mentioned that the people at Fort Huachuca or Yuma, where we have things that we needed to do, certain training we needed to give our people, we then tell the NNBIS people that we can do this training. We think we can help you. And we have, in effect, taken the lead.

I mean, this was not something where they came to us. In fact, I don't think they were as aware as we were of what we could do for them out here.

Senator HAWKINS. Well, you've been tasked with DOD regulations to coordinate with local and State—

Dr. KORB. Well, certainly, we coordinate. But what I'm trying to say is rather than us being the recalcitrant bureaucracy dragged in, we're looking for instances in which we can kill these two birds with one stone.

Senator HAWKINS. These kinds of hearings—off the record.
[Whereupon, a discussion was held off the record.]

OTHER DOD ACTIVITY INVOLVING COORDINATION

Senator HAWKINS. Could you tell me what the DOD activity has been other than what you've stated for the record on coordinating the communication between local, State, Federal?

Dr. KORB. The communication?

Senator HAWKINS. Yes; obviously there's a lack of communication. I know it was new in June. Do you have plans that would expedite the communication between local, State and you, at the Federal level?

Dr. KORB. We feel we have, as you know, about 1 year ago, almost 1 year ago, about 9 months ago in Washington, sponsored the conference on posse comitatus in which we took the lead and worked with the different levels of government.

And our plan right now, and I might say this came in a suggestion of Congressman English in some conversation that we had with him, is to run, if you will, posse comitatus conferences all around the country in these six regions to let the people know exactly the assets that we have, and the help that we can provide.

That's been our role. But remember that this is not our primary responsibility. We are a provider of services and of information. But we are planning, I would say in the fall of this year, to go around to all of these people. In fact, I'm going to take a full-time person on my staff of a high-level position just to be able to focus our efforts because it's gotten to the point where I can no longer handle it myself, and we have gotten approval from the Secretary.

We're now ready to go to the White House to get this particular position, so we'll be better able to do this. In other words, a person can spend full time going around the country.

Senator HAWKINS. Thank you so much. I appreciate all the help you have been to this great effort.

Dr. KORB. Thank you very much, Senator.

Senator DeCONCINI. Senator Wilson.

OV-10 BRONCO AIRCRAFT

Senator WILSON. Thank you, Mr. Chairman. Dr. Korb, I am unfamiliar with this aircraft that the Marines have been operating, the OV-10, the Bronco.

Dr. KORB. Well, Senator, it's an aircraft that has a very sophisticated sensor system we call the "FLIR" that has an infrared capability.

Senator WILSON. What mission has the Marines created it for?

Dr. KORB. The Marine Corps will use it on the battlefield primarily in an airborne defense types of mode. In other words, pick up targets, the low-flying targets that might be threatening the troops, to pick up the movement, for example, of convoys that might be coming down. I think its primary role would be more in the sense of nighttime advance partrolling, for example, I guess would be a better way since you're a former marine, and I'm not, you're probably more familiar with the exact terms.

But in a sense, this would be a scout type of plane, that with its very sophisticated sensors, might pick up a convoy that was trying to move down at night, to be ready for an attack at dawn, for example. In Vietnam, we used such systems against the Ho Chi Minh Trail where you would not be able to detect movements with the naked eye or a normal scout position. It would be able to provide information on that.

Senator WILSON. This FLIR: is this a radar?

Dr. KORB. Yes, sir, it is very much like a radar except that it produces an actual image.

Senator WILSON. It is a radar?

Dr. KORB. Technically, it's a sensor that operates like the type of radar that goes on planes like the FA-18.

OPERATIONS AREAS FOR BRONCO

Senator WILSON. Yes. I see. Where are these currently operating in support of Customs?

Dr. KORB. Well, they have operated in the south Florida area primarily up to now. They are available to the other regions, and there have been some use of them out in this particular area.

I have to furnish these exact for the record, but we have had excellent success with them in south Florida. In fact, I went down in

April to congratulate the crew that had done an excellent job in picking up some of the aircraft trying to get through, and then turn it over to the Customs.

You may have seen in—when Senator Hawkins and Senator Cochran had hearings down in Biloxi, I guess it's about a month ago now, in the NBC news coverage that night, they had a film of the OV-10D pursuing a plane that was smuggling drugs, follow it actually until the plane ran out of gas and had to crash.

And if you saw that film—which we can make available to you; we have it in the Department—it shows them using their infrared photography at night to pick up and follow this—the aircraft.

Senator WILSON. Are any of these aircraft out at El Toro?

Dr. KORB. There are 18, I think, aircraft in the whole country. And I would have to check for the record exactly where they are. But I think the important point is even given the small number that we have, we have made them available to Customs.

And the young marines involved are very enthusiastic about their role. In fact, if you saw that film on television, they got very excited when the plane met its ultimate destiny.

RADAR USE ON BRONCO AIRCRAFT

Senator WILSON. I don't blame them. I'm sure they did, too.

Let me ask you this question: The radar that is on these Broncos—earlier Senator Hawkins was asking about what the possibility of using the same kind of balloon-suspended radar, and Commissioner von Raab indicated that what was available worked well in terms of interdicting marine incursions, but couldn't pick up trucks or foot traffic.

Is this FLIR capable of doing that? I gather from what you indicated that it may be of a different sensitivity.

Dr. KORB. It is. It's much more sensitive than what we have, for example, in the balloons at Cujo Key, and the one that's going into Patrick Air Force Base. Because as that's been mentioned, that's primarily for water and air traffic, whereas this sensor has an infrared capability and can pick up moving targets.

Senator WILSON. Is it capable of an application that would allow it to be suspended from a stationary balloon at Cujo?

Dr. KORB. I really don't know the answer to that question. I would have to check that for the record. We have to put our engineers to work on that.

To my knowledge, it's never been any place put on an aircraft.

Senator WILSON. All right. Thank you.

AWACS

Senator DECONCINI. Thank you. Let me just return, Doctor, to this AWACS question. I'd like to, for the record, clarify it.

I gather from your statement and your summary here in answering the questions of Senator Hawkins, that as long as the AWACS is in use under training, there is no question it will not diminish the combat readiness of the Air Force?

Dr. KORB. That's correct.

Senator DECONCINI. Now, there are what, 14 AWACS? Is that what's operational?

Dr. KORB. I think the number would be closer to 24, but I would have to check that for you.

Senator DeCONCINI. OK. Well, whatever it is, if one or more were dedicated, are you saying then that combat readiness would be jeopardized?

Dr. KORB. Well, first of all, there's a couple of considerations here. If we have, as we do now, for example, many international crises going on, it's not a question of whether that plane could be used by Customs. The plane might be in Sudan, for example, and just not be available for that type of mission. So we don't dedicate a plane to Customs.

But while the plane is in the United States undergoing its normal training, the people have to go out and practice. What we're saying is, since they're going to go out and practice—

Senator DeCONCINI. I understand.

Dr. KORB [continuing]. Then they can help Customs. The real problem is where they are needed; but even when they are in the United States, for example, they are training with F-15's.

Senator DeCONCINI. Now, I understand, and I appreciate that. Obviously if they had been deployed, that is a priority, and shouldn't even be in that process. I guess what I want to do is to be clear because I am not interested, and I'm sure no one this caucus is violating the spirit of the law or the restriction on that. But it does concern me that if they're not in the Sudan, they're not in Chad, or even if they are and there's a host of them still here in the United States, what besides training could be used for?

I mean, can you waive the reimbursement. Can you say temporarily you can have one or two, or do you feel that that in itself might jeopardize combat readiness because you don't know what the unexpected call may be?

Dr. KORB. Well, I think that the way I understand the law, in order for the Secretary of Defense to waive reimbursement, he has got to make a determination that there is a benefit to the Department of Defense. And what we have said right now is when these people are out doing that, there is a benefit because that's what they have to do, if you will, in a wartime.

And really, if you take a look at what has been requested and what we furnish, it's virtually everything that's asked for. And for example, in the month of June, we had 13 requests from Customs, and we furnished all 13. In July, we had 12, and we were actually able to furnish 9. And so, by and large, we do what they want.

Senator DeCONCINI. Well, what you're suggesting to me is that they continuously ask you, and you will, to the maximum ability without jeopardizing the combat readiness, reply affirmatively?

Dr. KORB. That's correct. The main problem, if you take a look at our figures from August, it will be less because we've had fewer AWACS available in August.

Senator DeCONCINI. Then, of course, I guess you can say that you can justify the use by training. Is that really what you're saying?

Dr. KORB. Well, I think the real consideration is we can waive reimbursement by saying that we get a benefit to the Department of Defense.

Senator DeCONCINI. I see. OK. Thank you. I have no further questions here. I have a couple of questions I want to submit for

the record regarding the P-3's and F-15 being stationed here at Davis-Monthan, just for the record, and a few others.

Are there any other questions of this witness? Thank you very much.

Dr. KORB. Thank you.

DEPARTMENT OF JUSTICE

DRUG ENFORCEMENT ADMINISTRATION

STATEMENT OF PETER NUNEZ, U.S. ATTORNEY, SOUTHERN DISTRICT OF CALIFORNIA, SOUTHWEST DRUG INTERDICTION TASK FORCE

SOUTHWEST BORDER TASK FORCE REGION

Senator DeCONCINI. We will now hear from Richard Johnson, Special Agent in charge, Phoenix Field Office in the Drug Enforcement Administration, and Peter Nunez, U.S. Attorney, Southern District of California, Southwest Drug Interdiction Task Force, the Department of Justice.

Mr. Nunez, would you like to lead off?

Mr. NUNEZ. Mr. Chairman, it is my pleasure to appear before this hearing today in Phoenix to discuss the overall drug problem in the Southwest border task force region.

SOUTHERN DISTRICT OF CALIFORNIA

San Diego is the largest city on the United States/Mexico border. Therefore, in addition to domestic drug production, distribution, and use, it is also one of the principal transit cities for drugs destined for other major cities in the United States from Mexico and parts of South and Central America.

The San Ysidro/Tijuana Port of Entry is the largest border crossing port in the United States and provides unlimited opportunities for American and Mexican trafficking organizations to move narcotics overland into the United States. Insofar as it impacts on narcotics enforcement, the significance of the southern district's proximity to Mexico can best be appreciated when one considers the "legitimate" flow of people and vehicles through the San Ysidro and Calexico Ports of Entry. This last fiscal year over 10 million vehicles containing approximately 33 million passengers and drivers, and over 6 million pedestrians entered the United States from Mexico through the San Ysidro Port of Entry. At the Calexico Port of Entry almost 6 million vehicles containing approximately 12 million passengers and drivers, and approximately 3 million pedestrians passed through into the United States. Therefore, in 1 year, a total of over 16 million conveyances and approximately 54 million people passed into the southern district of California from Mexico. Since individual, rigorous inspections are physically and politically impossible, one can easily see the potential for high volume, ongoing smuggling conspiracies. Likewise, commercial vehicles, oceangoing vessels and aircraft are also constantly entering the United States—most of them with little or no formal inspection. Moreover, the coastline of southern California and Baja California also provides unlimited access to thousands of pleasure and recre-

ational vessels. In addition to these trafficking avenues, the southern California area hosts numerous private and commercial aircraft which have hundreds of clandestine and private airstrips available to them for the smuggling of narcotics across the border.

In addition to its geographical features which lend themselves to smuggling ventures and proximity to Mexico, San Diego also has a pleasant climate, a number of exclusive and security prone living areas—La Jolla, Coronado Island, Rancho Santa Fe, Del Mar, Bonita, et cetera, a myriad of social and recreational activities and a plethora of business and real estate opportunities—all of which makes for unlimited opportunities in regard to money laundering and the investment of drug profits in local enterprises.

PRINCIPAL DRUGS OF SAN DIEGO AREA

The principal drugs of concern in San Diego are Mexican produced heroin, Mexican and South American marihuana, and cocaine transiting through Mexico. All indicators point to the fact that the production of and trafficking in each of the above has increased significantly during the past 2 years. This is based upon increased seizures, higher purity levels, lower prices, and reliable information. Domestic clandestine drug laboratories which produce PCP and methamphetamine have also been encountered.—Most "Meth" and PCP organizations are either run by or distributed to "Bikers," that is, outlaw motorcycle gangs. Therefore, we consider lab cases particularly troublesome due to the ever present potential for violence.—In addition, drug diversion conspiracies have been revealed where high grade pharmaceutical quality secobarbital and methamphetamine have been secured from legitimate European sources then smuggled into the United States through Mexico.

Recent seizures and informant debriefings disclose that at the present time heroin produced within the interior of Mexico is flown to over 40 clandestine airstrips in northern Baja California, Mexico. It is then transported to and stockpiled in either Mexicali or Tijuana where arrangements are made with buyers and couriers to transport it into the southern California area for both local distribution and transshipment to other parts of the United States.

The purity of heroin in the San Diego area has skyrocketed from an average purity of 3 percent in 1980, to an average of 70 percent in 1982. This is an all-time high for Mexican heroin in this area. In addition, a reemergence of the old traditional Mexican family heroin trafficking organization is now taking place. These groups are reestablishing and/or strengthening old ties. They are also becoming extremely competitive in today's market.

While Asian heroin is frequently encountered in the southern district, most of it seems to be coming into the southern district (and the United States) through Honolulu, San Francisco, and Los Angeles. To date, the most well organized, ongoing heroin organizations in San Diego are dominated by the traditional Mexican families.

AVAILABILITY OF COCAINE

During the last year, there have also been significant increases in the availability of cocaine. A year ago the majority of the co-

caine seized in San Diego was being flown here from Florida. However, we are now seeing more and more entering this area from Mexico. It is also noteworthy that many of the major Mexican heroin trafficking organizations are also trafficking in cocaine because of the extreme domestic demand and enormous profit margin.

Actual seizures of cocaine in San Diego increased significantly in the last 18 months and included the seizure of over 100 pounds in four separate cases during one 2-week period. Moreover, the DEA office in San Diego is presently pursuing leads based on reliable information that one organization is in the process of smuggling in excess of 1,000 pounds of cocaine from Colombia to San Diego through certain key cities in Mexico.

MARIHUANA

Marihuana has always been one of the prime controlled substances encountered in the southern district of California. However, in recent months we have witnessed an upsurge in the quantity and quality of marihuana being encountered. Rather than shipping the compressed bricks of marihuana, which was commonplace in the past, the Mexican traffickers are now shipping numerous smaller size loads of a variety known as "colas" or "tails." This variety is usually cultivated from the top 10 to 15 inches of the flower and is shipped with the seeds intact within the closed pod. This variety is of a higher THC content and is calculated to compete with Thai sticks, Colombian marihuana and the stronger varieties of sinsemilla which are grown in California.

In the last year the DEA office in San Diego seized a number of multiton loads of marihuana, quantities unheard of in its area since the early 1970's. The informant in one case advised us that the owners of the shipment—ranking members of several well-known Mexican drug families—fearing that their organization may have been penetrated, had moved their stash to a secret location in Tijuana, Mexico. The stash reported to total 400,000 pounds. If history is any guide, this marihuana will probably be smuggled into the United States in compartmentalized trucks, tankers, and similar-type vehicles. Frequently, this type of M.O. goes hand in hand with bribery and corruption at the ports of entry—usually involving U.S. Customs and/or Immigration inspectors.

AVAILABILITY OF FINANCIAL RESOURCES

The most disturbing factor relating to the cocaine and marihuana smuggling organizations, in particular, is the seemingly endless availability of financial resources which allow the violator to purchase the latest in vehicles, planes, vessels, and electronics—not to mention outstanding legal counsel. Moreover, the major organizations are increasingly reinvesting their illegal profits into ostensibly legitimate business ventures. For example, the DEA office in San Diego seized \$4 million in assets in fiscal year 1981, that figure more than tripled in fiscal year 1982 to approximately \$14 million, and is expected to readily exceed \$20 million this fiscal year due in large part to the new Presidential Drug Task Force consisting of DEA, Customs, FBI, ATF, IRS, and Coast Guard agents, as well as

representatives from the U.S. Marshal's Service and local law enforcement officers. Moreover, the close working arrangement between the Presidential Drug Task Force and the Southern District's Civil Division has enabled the U.S. Attorney's Office in San Diego to move quickly to seize and initiate forfeiture proceedings on drug related assets before they can be transferred or liquidated.

DISTRICT OF ARIZONA

While Arizona, like California, also shares a common border with Mexico, their drug problems seem to center more around extensive intrastate domestic organizations which dominate or control a given area or particular controlled substance. In addition to the traditional Mexican heroin organizations—some of which are also involved in alien smuggling—a phenomenon apparently unique to Arizona—they also have encountered Southwest Asian heroin organizations—mostly Iranian—and Southeast Asian heroin organizations: Vietnamese, Thai, and Chinese.

Like San Diego, Arizona has a clandestine lab problem and a tremendous inflow of cocaine and marihuana. Cocaine trafficking patterns are consistent with that encountered in San Diego, that is, Colombia to Florida to Arizona or Colombia to Arizona via Mexico. Moreover, the extreme profits that flow from cocaine trafficking has also resulted in the acquisition of substantial assets.

As to marihuana, Arizona has both domestic production, and Mexican and South American products. Like New Mexico and the desert areas of southern California, the terrain in Arizona also lends itself to air smuggling. All in all, it appears that domestic intrastate trafficking and distributing organizations pose the greatest immediate problem in Arizona. However, an increase in smuggling, clandestine labs, and domestic distribution is expected—particularly in view of the continuing "Sunbelt Migration" which everyone predicts.

DISTRICT OF NEW MEXICO

While New Mexico has significant intrastate drug distributing and consumption problems, their most immediate concern is the existence and operation of large scale marihuana and cocaine trafficking organizations which use the State as a staging area or transshipment point for drugs coming from Mexico and South America. Both the terrain and the limited number of population centers make for tremendous air smuggling potential. Over the last decade or so, as enforcement pressures increased in southern California and to a lesser degree in Arizona, many sophisticated and well-supported trafficking organizations moved their operations to New Mexico where larger, secluded tracts of land could be purchased or used with virtually no fear of detection.

CONCLUSION

Gentlemen, while understandably general in nature, the above will give you some idea of the type of narcotics and narcotics related problems we face here in the Southwest border region. Moreover, our most current information confirms that the existence of

the southeast Florida chokepoints, the intense enforcement pressure in the Caribbean area, the domestic production of marihuana and heroin poppies in Mexico and the wide-open nature of the Pacific Ocean from the west coast of Colombia on up to the Pacific Northwest all portend a dramatic increase in narcotics trafficking in the Southwest.

However, with the additional investigative and prosecutive resources that we now have as a result of the Presidential Drug Task Force and the creation of the new National Narcotics Border Interdiction System [NNBIS], we are extremely optimistic about the likelihood of achieving enforcement and prosecution goals which 3 or 4 years ago were unheard of. While, as with all new Government programs, it will take some time to have everyone in place and become fully operational, this administration has taken a giant step forward in narcotics enforcement.

As a result, and of course with the continuing support of the Senate and the House, I am confident that we will eventually succeed in controlling, and someday eliminating, one of the most serious social and economic problems facing this Nation:

This concludes my written testimony. I will be glad to answer any further questions you may have.

Senator DECONCINI. Mr. Johnson, go ahead, and we'll question you together.

PHOENIX FIELD OFFICE, DEA

STATEMENT OF RICHARD JOHNSON, SPECIAL AGENT-IN-CHARGE, PHOENIX FIELD OFFICE, DEA

OVERVIEW OF DEA PHOENIX DIVISION

Mr. JOHNSON. I think I can dispense with reading my statement. It has been—

Senator DeConcini. It will be entered in the record in full.

Mr. JOHNSON. Most of the material in it has been alluded to or talked about considerably by all the other previous witnesses.

The only thing I might add to that is just to give you a very brief overview of the DEA Phoenix division. The Phoenix division is 1 of 19 domestic divisions in DEA. It covers the State of Arizona.

We have offices in Phoenix, Tucson, Nogales and Yuma. The drug trafficking patterns here are similar to those that we've been hearing about all along the southwest border

INCREASE IN SOUTHWEST BORDER TRAFFICKING

In listening to the previous witnesses and to the questions that have been asked by the committee, there seem to be two basic themes that are going through these hearings. One, that there is an increasing amount of drug trafficking along the southwest border as a result of new production in Mexico and as a result of increased interdiction efforts in the Southeast in Florida and other parts of the country. This is correct. There is no doubt about it.

There is an increase in the level of trafficking along the southwest border. As an example, in 1975, heroin from Mexico accounted for well over 75 percent of all the heroin available in the U.S.

market. That dropped down, as we've heard already today, to 30 percent, and it went even lower than that.

Now there has been an increase, and Mexican heroin does account for a higher percentage than it did a couple of years ago; so it is coming back. Traditionally, Mexican heroin has been the heroin of choice in the southwest area, some of the west coast, and in the Chicago metropolitan area.

All indicators that I am aware of show that there is an increase along the southwest border, and this increase is significant. One example of a case that the Drug Enforcement Administration has been involved in within the last year or so which shows that pressure along the southeast Florida corridor has forced people to seek other routes, is a seizure which was made in New Mexico last spring.

It was a 220-pound-plus seizure of cocaine. It was made in Santa Rosa, N. Mex., by the New Mexico State Police. The information which led to that seizure had been developed here in Phoenix by the DEA. Actually, the original information came from informants working for the Arizona Department of Public Safety.

And through our State and local task force operations that we have right here in Phoenix, this information was developed and eventually led to that seizure. I believe that was last May or June that the seizure took place. The followup investigation on that indicated that the cocaine had been brought in by Colombian traffickers, had been dropped in New Mexico. And just recently, here in the district of Arizona, I think there were 29 people indicted in connection with that case. This is just one example of the types of investigation we're involved in, and it's an excellent example of the benefits of the State and local task force operations that we have.

ADDITIONAL EQUIPMENT NEEDED TO FIGHT TRAFFICKING

The other theme that's been going through these hearings is that it's obvious that Customs and the other interdictory agencies need more equipment in order to fulfill their mission. The Drug Enforcement Administration fully supports this. Any equipment they can get, whether it comes from military or purchased directly for Customs or whatever, is certainly going to be a help. There's no problem with that.

The Drug Enforcement Administration is, as you all know, the leading Federal agency in the drug investigative effort. We are joined by the FBI in these responsibilities. However, we do handle referrals from Customs and from the other interdictory agencies. It's been alluded to here that we do not follow up on every investigation that is referred to us by Customs and that is correct.

Many of the investigations—the majority of the investigations that are referred to us are low-level seizures, personal-use type seizures, that are made either at the ports of entry, the bridge crossings or airports. And they do not warrant the full-blown Federal investigation and followup.

But the major seizures that are made by Customs or Coast Guard are certainly followed up, and there is considerable success gained from some of these investigations. Just one example that I might cite was an operation that was conducted out of the Houston divi-

sion of DEA in what was, incidentally, an Organized Crime Drug Enforcement Task Force case.

BUSHMASTER OPERATION

It was an operation known as Operation Bushmaster. There were some 54 people indicated recently, and the seizure of a considerable amount of money, weapons and different types of drugs, as well as a number of vehicles.

Many of the substantive counts that led to the indictment of these people in the Bushmaster operation were based on seizures that had been made by Customs, as well as State and local authorities in Texas and elsewhere along the southwest border.

I have no further comments. I'd be glad to answer questions.

[The prepared statement of Richard Johnson follows:]

PREPARED STATEMENT OF RICHARD JOHNSON

Mr. JOHNSON. Senator DeConcini and members of the subcommittee, I am pleased to appear before you to discuss the narcotics smuggling threat to the southwestern border and the Drug Enforcement Administration's response to that threat.

The United States shares a common border of 1,900 miles with the Republic of Mexico. It is across this border that the bulk of the drugs produced in or transshipped through Mexico enter the United States. Heroin, marihuana, cocaine, and dangerous drugs are all entering the United States through our Southwest border.

MEXICAN HEROIN

In 1975 Mexican heroin accounted for approximately 80 percent of the entire U.S. market. This situation led to the institution of a major opium poppy eradication program and other initiatives so that by 1979 Mexican heroin availability accounted for less than one-third of the U.S. market.

Historically, Mexico has been the primary source of heroin for the Western United States. Now, however, the United States is again experiencing an influx of high-purity Mexican heroin. This heroin supplies about 35 percent of the U.S. market, and is primarily concentrated in the Western United States and the Chicago metropolitan area. Mexico's two traditional smuggling routes terminate at the borders of California and Texas. It is here that most of the heroin seizures have been made.

The movement of Mexican heroin to the United States remains largely restricted to vehicle smuggling and individual couriers. From 1976 to 1981, Texas led California in border seizures; however, since 1981 more seizures have been made along the California border.

Seizures, arrests, and other intelligence tell us that today's Mexican trafficking networks have become more centralized and that a few major traffickers have developed strong organizational control over border trafficking.

These multidrug traffickers finance opium and cannabis cultivation and dangerous drug and heroin production in controlled laboratories. They also control a cadre of experienced smugglers who transport the drugs across the border.

As with heroin, both the quantity and quality of Mexican marihuana entering the United States are increasing. Changes in growing patterns have resulted in the availability of large quantities of high-grade, sensimilla-type marihuana for shipment to the United States. Most of the marihuana comes across the border in land vehicles: Cars, trucks, false beds, and camper tops of pickup trucks and even tanker trucks capable of moving thousands of pounds in a single journey.

TEXAS LEADS AS FAVORED ENTRY POINT

At the moment, Texas appears to be the favored point of entry, with Arizona and California a distant second and third. The number of marihuana seizure cases referred to DEA's Texas border offices by Customs and the border patrol has increased significantly.

The success of the South Florida Task Force has apparently forced some South American traffickers to focus on the Mexican/U.S. border. During the past year, both the rate and quantity of Colombian marihuana and cocaine seizures along the

border have increased noticeably. While most of the Colombian marihuana is entering through Texas, most of the cocaine is entering through California.

We can expect this trend to continue if Colombian trafficking organizations are forced to avoid enforcement pressures elsewhere in the United States.

DIVERSION OF LEGITIMATELY CONTROLLED SUBSTANCES

In addition to heroin, marihuana, and cocaine, there is a fourth drug trafficking threat to the Southwest border—the diversion of legitimately produced controlled substances. This diversion occurs at two separate and distinct levels within the distribution chain.

The first is the diversion of bulk quantities of controlled substances from the international market to clandestine laboratories in Mexico where they are converted into counterfeit tablets. The most obvious example of this type of diversion is methaqualone, although methamphetamines and barbiturates are also involved.

Because of our success in limiting the worldwide availability of bulk methaqualone powder, the Mexican laboratories are now producing counterfeit methaqualone tablets substituting the tranquilizer diazepam. The chemicals used to manufacture the diazepam are purchased in the United States, shipped to Mexico and then the finished tablets are smuggled back across the border.

The second type of diversion is a recent phenomenon of the last year and a half. It occurs after a legitimate Mexican pharmaceutical manufacturer has processed the bulk powder into dosage unit form for sale in the retail market. Diversion at this level is increasingly affecting the United States. The major products involved, at present, are the stimulants Captagon and phentermine and the tranquilizer diazepam.

EFFECTIVE ACTION AGAINST ILLEGAL DRUG TRAFFICKERS

The Federal Government and DEA as the principal drug enforcement agency, can meet the challenges presented by the trafficking situation I have just described. As an investigative agency our efforts are directed at immobilizing major drug trafficking networks through the apprehension, conviction, and punishment of traffickers, through the removal of their drugs from the illegal market, and through the forfeiture of their accumulated profits and assets.

This is accomplished through a variety of approaches designed to respond to the unique requirements of the individual trafficking situations. DEA targets its resources at the highest level of the traffic, regardless of drug, so that our efforts will have a major impact in that area.

SPECIAL ENFORCEMENT OPERATIONS [SEO]

In pursuing these targets we constantly strive to use all methods and techniques available and to tailor each approach to the investigation at hand. We use special enforcement operations [SEO's] to focus extra resources and wider attention on especially high-impact investigations or unique trafficking situations.

SPECIAL FIELD INTELLIGENCE PROGRAMS [SEIP]

In a similar vein we use special field intelligence programs [SFIP's] to insure a flow of information from critical collection areas not covered by routine enforcement efforts. Intelligence provided from SFIP's is then used to identify or define the scope of a problem and support a follow-up enforcement operation. To support the SEO's, SFIP's, and other operations along the Southwest border we have 12 aircraft and pilots stationed from the Gulf of Mexico to the Pacific Ocean. These aircraft fly the border and are used extensively in support of local operations.

To maximize the impact of our own resources and to increase the effectiveness of State and local drug enforcement activities, DEA fosters and supports a nationwide network of 19 State and local task force operations. This task force program is designed to attack the mid-level trafficker.

The presence of a task force in a metropolitan area completes the spectrum of drug law enforcement activity thereby filling the gap between local street arrests and seizures and complex Federal investigations of high-level financiers and organizers. In the Southwest, DEA supports task forces in Phoenix and San Diego and has just recently approved task forces for Laredo and San Antonio.

COOPERATIVE EFFORTS BETWEEN UNITED STATES AND MEXICO

Because the narcotics threat to the Southwest comes directly from Mexico, our cooperative activities with the Government of Mexico are crucial to our ultimate success. In addition to ongoing intelligence sharing and support of Mexican law enforcement operations, we have a very active training program both at the Federal Law Enforcement Training Center [FLETC] and in Mexico.

We recently completed a 2-week drug enforcement basic school in Mexico in which 55 police officers were trained. At FLETC we have already trained two Mexican police officers at the 4-week advanced international school, and will train four more before the end of the year including two instructors.

Besides our unilateral programs with Mexico, we also work closely with and support the U.S. Department of State, in its foreign cooperative efforts.

Our success in reducing Mexican heroin availability in the late 1970's was due directly to Mexico's opium poppy eradication campaign. The U.S. Government, in recognition of the critical role Mexico's eradication program plays, continues its support through State Department grants for equipment maintenance and field support.

In our efforts to immobilize key trafficking organizations, DEA is joined by the FBI, the IRS, the U.S. Customs Service, the U.S. Coast Guard, the Bureau of Alcohol, Tobacco and Firearms, the U.S. Marshal's Service, and the Department of Defense.

ORGANIZED CRIME DRUG ENFORCEMENT TASK FORCES [OCDE]

The recently formed Organized Crime Drug Enforcement Task Forces [OCDE] have provided us with another important vehicle for coordinating high-level investigations and insuring that all the resources of the Federal Government are brought to bear on the drug problem.

One of the OCDE task forces, the Southwest Border Task Force, is based in San Diego with noncore city offices in Phoenix, Tucson, and Albuquerque. This task force has already actively begun several major investigations in the Southwest border area and obtained impressive results.

NNBIS

In addition to the OCDE program, we have become actively involved in the Vice President's National Narcotics Border Interdiction System [NNBIS]. The Customs Service and the Coast Guard are the primary Federal agencies tasked with the interdiction of narcotics. DEA provides them with interdiction intelligence from both our domestic and overseas offices on drug smuggling into the United States.

In turn, we are responsible for the followup investigations of seizures made by them. Now, with the advent of NNBIS, we have increased our interdiction support role. We have assigned one intelligence analyst to each of the six NNBIS regional centers to facilitate intelligence exchange and one senior special agent per center to insure followup investigation of interdiction cases when warranted.

Of course, we are continuing to provide intelligence to and followup investigation of those non-NNBIS interdiction cases initiated by Customs or the Coast Guard.

As you can see, Senator DeConcini and members of the subcommittee, the drug problem along the Southwest border is a very serious problem. Your hearings today will raise public attention to the drug trafficking situation in this area and will also instill a heightened sensitivity to the problem within the Federal Government.

The Drug Enforcement Administration is committed to meeting the challenge of the Southwest drug problem and responding quickly and effectively to the findings and recommendations that you will surface in the course of these hearings.

Thank you.

DRUG TASK FORCES

Senator DeCONCINI. Thank you, Mr. Johnson. Mr. Nunez, the Southwest Drug Interdiction Task Force; do you head that? Are you the chairman of that body, and can you tell us what it is? Is that part of the NNBIS organization?

Mr. NUNEZ. No, Senator, there are—let me explain the two different task forces. I'll call the first one drug task force. It's the organized crime—drug enforcement task force.

Senator DECONCINI. Is this 1 of the 12 organized crime task forces?

Mr. NUNEZ. That's right.

Senator DECONCINI. OK.

Mr. NUNEZ. They were announced by the President last October.

Senator DECONCINI. OK.

Mr. NUNEZ. San Diego, the southern district of California, Arizona, and New Mexico are one region, the southwest border region of the drug task force. San Diego was selected as the core city of the three judicial districts involved.

Senator DECONCINI. So it's not an interdiction task force. That's the wrong name?

Mr. NUNEZ. That's the wrong name.

Senator DECONCINI. It's commonly what's known as the Organized Crime Presidential Task Force?

Mr. NUNEZ. Right.

Senator DECONCINI. OK. Well, that's very helpful. How many people are involved in this? How many attorneys and how many agencies and how is it organized?

Mr. NUNEZ. Well, there are 12 new task force regions that were created. Florida was the model again, although there may be some differences.

But basically, there were 12 new regional task forces created. Each one of them was supposed to be more or less equal in resources, the new resources that were going to be added. Therefore, you will look—if you look at a map, you will see that the size, the geographical size of the task force varies greatly. For instance, the central district of California, which is basically Los Angeles, San Bernardino, and the state of Nevada are one task force region. The Rocky Mountain region consists of 10 different States. So there's a great difference in the size of some of these, but the resources that were supposed to be allocated to each of the regions were supposed to be identical.

The southwest border region got, I think—let me see—we got 11 additional prosecutors. Three of them were assigned to the district of Arizona, one to New Mexico, seven for San Diego. The Drug Enforcement Administration got, I believe, 13, and the FBI got 12.

I might have that reversed, but 12 or 13 each, and they were to be spread amongst the 3 judicial districts.

Senator DECONCINI. And all to be assigned to this effort?

Mr. NUNEZ. Just to this effort, exclusively to this effort.

Senator DECONCINI. OK.

Mr. NUNEZ. The three agencies actually which got the most new resources were Customs, IRS and ATF. They each got proportionately, percentagewise, the largest increases based on their original strength. And all those new resources, about 50 altogether investigators we're talking about, were split amongst the three judicial districts, which involved three U.S. attorneys, the various DEA offices, the various FBI, IRS, Customs offices and sectors. The other task force is NNBIS.

Senator DECONCINI. Yes.

Mr. NUNEZ. The U.S. attorney's offices are not involved in that in any direct way. That is, as we have heard, and everybody I think understands at this point, there's almost exclusively, or ex-

clusively, an interdiction network. There obviously has to be some coordination between the interdiction and the investigation which we hope will take up any successful interdiction efforts and that's the point when DEA and those attorneys' offices, FBI, Customs, investigators will also get involved.

LOCATION OF THREE ADDITIONAL U.S. ATTORNEYS

Senator DeCONCINI. Now under the organized crime task force that you're involved in, take a State like Arizona that's allocated three additional U.S. attorneys. Are they housed at the headquarters, or are they housed in Arizona?

Mr. NUNEZ. No; they're in Arizona.

Senator DeCONCINI. But they're on call for the Organized Crime Task Force?

Mr. NUNEZ. They are designated specifically for drug task force cases in Arizona.

Senator DeCONCINI. Drug or organized crime or both?

Mr. NUNEZ. Organized crime drug cases.

Senator DeCONCINI. OK.

Mr. NUNEZ. Only drug cases that fall within the guidelines for task force.

Senator DeCONCINI. Now there are three in Arizona?

Mr. NUNEZ. Yes.

Senator DeCONCINI. There are three additional U.S. attorneys here?

Mr. NUNEZ. Yes; one in Tucson and two in Phoenix.

Senator DeCONCINI. One in Tucson; two in Phoenix. And they are under the direction of the U.S. attorney here?

Mr. NUNEZ. Yes.

Senator DeCONCINI. To take any drug case that he designates?

Mr. NUNEZ. To take any drug case that fits the criteria for the drug task force.

Senator DeCONCINI. OK.

Mr. NUNEZ. The drug task force is not supposed to handle all kinds of narcotics and drug cases.

Senator DeCONCINI. Right.

Mr. NUNEZ. If you have a port seizure or a stop along the highway, and all you have is a defendant driving the car or street sale, those are not task force cases.

Senator DeCONCINI. Those are for the regular criminal prosecutors within the office?

Mr. NUNEZ. Right.

Senator DeCONCINI. I don't know if you were here this morning when Mr. Neely testified.

Mr. NUNEZ. I was.

Senator DeCONCINI. He made a very passionate plea for U.S. attorneys, and I happen to join that bandwagon and have been very strong in feeling that under the past administration, as well as this one, that there hasn't been enough attention paid to the request.

And I realize your restraints in working in the Department of Justice and in wanting to comply with what their directions are.

NEED FOR ADDITIONAL PROSECUTORS IN U.S. ATTORNEY'S OFFICE

But my question to you is—not to put you in a compromising position, but my question is: Is that with the increase of the drugs and narcotics coming from Mexico and through Mexico into the Southwest, is it your belief that there should be a closer assessment as to the needs for additional prosecutors in the U.S. attorney's office?

Mr. NUNEZ. Yes, but I should say that that's always an ongoing process. Each year the executive office for the U.S. attorneys within the Justice Department evaluates each office and makes an assessment as to where the U.S. attorney positions should be allocated.

Senator DeCONCINI. But they don't necessarily go along with the U.S. attorney's request?

Mr. NUNEZ. Well, that's right because they have 94 U.S. attorneys, all of whom are screaming and banging on the table and trying to get as many people as we can for ourselves because I think honestly, that we each think that we need more.

So those requests are always—there's a lot of competition for available assistant U.S. attorney positions. And the Department, I think, has done an adequate job, a very good job of balancing out everybody's competing needs. I should hasten to add also that the drug task force positions were additional positions. They were supposed to be added to the resources that each U.S. attorney was already utilizing in narcotics here.

Senator DeCONCINI. Well, how do you account for less than half of the money that was appropriated as requested by the Departments of Justice, has been obligated in the organized crime drug task force, and yet there have been no requests by the Justice Department for additional U.S. attorneys? And I can't speak for the U.S. attorney here, but I could speak for the one that was here before, and he constantly asked for more, and Mr. Bell and company constantly shut him down through this same process that you now are quite frankly defending. You say they do a very good job.

I don't think they do a good job for you, and I'm surprised you feel that way unless you're compelled to, and I understand those problems sometimes. I have been in those kinds of jobs, too.

Mr. NUNEZ. I'm not compelled to say that. I say that because I think that if you listened only to the U.S. attorneys, each office would have hundreds of assistants running around, and they probably would all be doing something. But I think that putting aside my own parochial interests or the interests of the U.S. attorneys, there's more involved. There's a whole budget process, and I'm not prepared to say that hiring five more assistants for Arizona or San Diego is more important than whatever other budget considerations Congress or the administration had to balance.

I guess what I'm saying is that once someone decides that there has to be so many assistant U.S. attorneys, the distribution of those amongst the various offices, I think, is done very fairly and equitably.

REALLOCATION OF STAFF ATTORNEY'S POSITIONS

One of the things that this administration has done—and they ran into some problems with some members of Congress—was to try to take some of the staff attorney positions that were assigned to main Justice and reallocate those to the field where the Attorney General believed, and I happen to agree with it, the work was being done, and that's where the positions were needed.

And there was a delay in getting those positions reallocated to the field because they were going to come from antitrust, and some people were concerned about what would happen to the antitrust enforcement.

Now, the answer to your question is: I don't think that it's fair for anyone to think that if the President makes an announcement in October and the Congress passes money in either late November or early December, that in January, you're going to have a house that's built and painted and furnished, and everybody is going to be working, you know, hitting the ground, running. I can tell you from my perspective that it takes at least 3 to 6 months to hire an assistant U.S. attorney under the best circumstances.

One of the things we're looking for here is not just good lawyers who make good prosecutors, but we're looking for the best narcotics prosecutors you can find; people that can come in and help prosecute bank officials, who can handle indictments or investigations that are going to take a year or two involving all kinds of complex Federal questions. You don't find those kinds of prosecutors growing on trees. It's been very hard to find them.

And we, as an example, just stole one from Miami. So now Miami is going to have to go find one from someplace else. So we're all robbing from each other to a certain extent.

And the problems that we have hiring lawyers, I think, pales beside the problems that the law enforcement agencies are going to have, because I think it's harder to find and train good agents for DEA, FBI, Customs, whoever, than it is to find lawyers. There are a lot of lawyers around.

Senator DECONCINI. Well, I can only say that we have an unwritten policy here in the State of Arizona, the Federal prosecutor won't prosecute anything under 400 pounds of marihuana. To think that that's an equitable distribution of U.S. attorneys is a far cry from what I think is equitable.

But you and I have a disagreement there. We have different loyalties, I guess, to where allocation should be made. In any event, I thank you for the work you're doing because I am aware of the—some of the travel and the meetings that you have had, and I think it's very important. And I support the President's effort in the organized crime task force. I don't want to leave the impression I don't. All I want to do is see that the emphasis is here so that the State prosecutors and the U.S. attorneys can have some kind of equitable distribution of the weight and the load, and also that someone will prosecute these people as we build up which I think is obviously what we're going to do. And I'm very fearful that the U.S. attorneys, if they continue to take the attitude that we're not going to holler and scream with the budget restraints that this Nation is under because of the deficits and what have you, you

guys are going to be left out in the cold. I used to be a prosecutor. And if I didn't holler and scream at the board of supervisors, I didn't get the prosecutors. And if I did, I got them. And I only want to encourage you to do that within the confines of your organization and what your professional requirements are.

Mr. NUNEZ. Well, I—

AUTHORITY GRANTED TO CUSTOMS TO FOLLOW UP JUSTICE CASES

Senator DeCONCINI. Mr. Johnson, let me ask you a question. The committee has recently approved a recommendation of mine that the Customs be authorized to conduct followup drug interdiction investigations in cooperation with the Justice Department. This really came from a Florida experience where I think DEA and Customs demonstrated that indeed these turf battles can be set aside. The GAO's latest report on Federal drug interdiction endorsed granting Customs this authority, and I believe it would bridge the critical gap. Now as a special agent in charge in Phoenix, would you please give us your candid feelings as to this followup investigation authority going to Customs, and as it relates to the problems in the Southwest?

Mr. JOHNSON. Well, as you know, Senator, in 1973 when the Drug Enforcement Administration was initially formed, one of the reasons for forming DEA was to eliminate the turf problems that have been—that were in existence then, especially as they related to the Treasury Department and the Justice Department.

At that time, the old Bureau of Narcotics and Dangerous Drugs in the Justice Department and Customs Service both had jurisdiction of investigative matters as related to narcotics. The DEA, the result of the reorganization began to work well after the initial trauma of any reorganization. DEA has been effective.

DEA does coordinate and cooperate with Customs personnel all over the world. The U.S. Customs Service has personnel in DEA offices all over the United States. They have people assigned to many of our offices in the Southwest area. There are customs personnel assigned, in San Diego, Tucson, El Paso, Laredo, and a couple of other locations, and we work on an almost daily basis with Customs. And as one of the customs representatives stated here when he was testifying earlier, in effect, in the Southwest border area, there are joint investigations.

As a field commander, if you want to call me that, of the Drug Enforcement Administration, I encourage having all the help we can get. The decision will be made, and if a law is passed that would give the U.S. Customs Service concurrent jurisdiction, we're certainly going to work with the customs people. I don't think it's necessarily a matter of turf questions as much as a matter of cooperation and coordination. It's difficult sometimes to get one piece of information from one office in one building correctly to another office in the same building when you have different departments and many different agencies involved.

Just by the bureaucratic nature of things, obviously, some things slip through the cracks. I don't consider it a turf battle. It's just a question of not being able to coordinate properly every time.

LAW ENFORCEMENT AGENCY COOPERATION

Senator DeCONCINI. Well, Mr. Johnson, I, first of all, know your reputation here, and it's outstanding. And indeed, I'm aware of a few of the cooperative efforts that are here. But unless things have changed a great deal in the 6½ years since I was involved in it here on a local level, there are big problems in the Southwest, right here in Arizona, with the lack of cooperation. And it isn't the blame of you any more than it's the blame of the local law enforcement, because it's a combination of the failure of exchanging information.

And I hope you're right that that no longer exists here. But I dare say if we had a day's hearing with people like Mr. Navarrete and the local prosecutors, you'd hear just the other side of that story because I do talk to them and hear from them.

And there are coordinated efforts now and then when there is someone like yourself who says do it and sees that it's accomplished. And I am really so concerned about it that I cannot help but think that we're kidding ourselves, just like I think the U.S. attorneys are kidding themselves to say, "Well, it's OK. Whatever the Justice/U.S. attorney's committee does back there is fair and equitable." It's not fair and equitable, and it's just clear as can be to one that represents Arizona here that it's not fair and equitable.

Notwithstanding, I haven't heard any cries from the U.S. attorneys, and the same message I have to give to national law enforcement, that they do not work together in the way that they proved that they could in Florida, because someone was there to see that it happened.

And I think you have demonstrated that you are willing to do it, and I think it takes Customs and you and everyone to make that a priority. Maybe it takes someone to see that it happens. And perhaps that someone is the Vice President. Perhaps it's someone else.

But I wish I felt as confident as you do that it's not a turf battle. I think we're kidding ourselves.

Senator Hawkins?

U.S. ATTORNEY TRAINING GROUND IN FLORIDA

Senator HAWKINS. Thank you, Senator DeConcini. We do have a good U.S. attorney in Miami, as you know. I took a brazen step in bringing in all U.S. attorneys in for—from out of State, and that kind of eliminates a lot of the turf that you have there. But Stanley Marcus is outstanding as you know, and is training a lot of assistant U.S. attorneys. And every time one of them leaves, I get a telephone call.

So it's kind of a training ground down there because they are having a good record of convictions in prosecuting. But don't think that we don't know when we're losing one. But we have to be constantly vigilant, and there's the big scrap of how many people each State gets.

CONTRIBUTION OF EPIC

Mr. Johnson, could you describe for me how EPIC contributes to the Southwest region drug interdiction effort?

Mr. JOHNSON. EPIC?

Senator HAWKINS. El Paso Intelligence Center.

Mr. JOHNSON. Well, the El Paso Intelligence Center is a multi-agency organization, as you know, headed up by DEA. Most of the drug-related information which is developed by the field offices of DEA, both domestic and foreign, is funneled through the El Paso Intelligence Center.

The information is then passed to the representatives of the various agencies that are assigned there, including Customs and Coast Guard and the other agencies. The National Narcotics Border Interdiction System, NNBIS, has only been in position for a short time. I think they became effective in June, and they're getting their operations going.

You will be hearing from Mr. Cavitt from NNBIS in El Paso a little later, and he could perhaps talk about that some more. I think the information goes from EPIC to NNBIS through the Customs or Coast Guard personnel, as are assigned at EPIC.

PRIMARY DRUG IN ARIZONA

Senator HAWKINS. Well, what is the principal drug of abuse in Arizona?

Mr. JOHNSON. Cocaine primarily at this time.

Senator HAWKINS. It comes from Colombia, right?

Mr. JOHNSON. Most of it, or through Colombia, yes.

Senator HAWKINS. Does it stay in the State, or does it transfer through the State to other States?

Mr. JOHNSON. Well, there is both. It comes in here, and it's obviously used here.

Senator HAWKINS. What's the percentage? Do you have a breakdown how much stays of that, that you know, and how much transfers?

Mr. JOHNSON. I don't have those figures for you.

Senator HAWKINS. Could you get them and provide them for the record, please?

I can find no sound data on which to base an estimate of the amount of cocaine which enters Arizona from other States and directly from foreign sources. It is my judgment that the greater percentage of the cocaine which enters Arizona transits to locations outside of Arizona and the lesser percentage remains in Arizona for sale and consumption.

DEA RESOURCES IN SOUTHWEST

What resources does the DEA and the Department of Justice have here in the Southwest?

Mr. JOHNSON. In the Southwest?

Senator HAWKINS. Yes—region.

Mr. JOHNSON. In the Phoenix division, 68 personnel are assigned, including agents and support. Of those, 47 are agents. I don't have a breakdown in the figures in the other division. I have that information here. I'd have to dig it out, but I can make it available for the record.

Senator HAWKINS. Could you provide that?

Mr. JOHNSON. Certainly.

DEA has 216 Special Agents assigned to offices at or near the United States/Mexico border from Brownsville, Tex. to San Diego, Calif.

BAIL A LAW ENFORCEMENT TOOL

Senator HAWKINS. I'd like to see what's happening there. In your opinion, either one of you, has bail been an effective law enforcement tool, or do you think the drug traffic just see it as a cost of doing business?

Mr. JOHNSON. Has what been?

Senator HAWKINS. Bail, bail.

Mr. JOHNSON. Oh, bail. Yes.

Senator HAWKINS. That has been an effective law enforcement tool, or is it just a cost of doing business out here?

Mr. JOHNSON. I believe it's the cost of doing business. The Bail Reform Act, which is before Congress, I believe now, is part of the whole crime package. We would certainly encourage its passage. I don't think it's as bad a problem out here as it is in Florida, but certainly the DEA would support reform of the bail laws.

JAIL SPACE PROBLEMS

Senator HAWKINS. And the jail problem, were you here when the witnesses were talking this morning about if you did prosecute them and did convict them, that they really didn't know where they'd put these people?

Is that a problem in the whole Southwest region?

Mr. NUNEZ. Jail space is a problem everywhere. The Federal Government is, I think, about 25 percent—20 percent over capacity. All the States are over capacity. California just recently, and after a lot of trouble, finally got money and are now starting to build some new jails in California. Federal——

Senator HAWKINS. I hope they're not as fancy as the one they've been building in other States. You'd do better to put them up at the Howard Johnson.

Mr. NUNEZ. You ought to visit a Metropolitan Corrections Center.

Senator HAWKINS. Oh, I have. I thought I was at a country club.

Mr. NUNEZ. There's one in San Diego. There's one in Tucson, and they're building one—they've got one there, I believe. Jail space is a problem everywhere. It's exacerbated by INS problems, and INS, as you know, is just acquiring—in the process of acquiring additional space, some in Louisiana.

They've just taken over a facility here in Arizona from the Bureau of Prisons for INS detention. It's a substantial problem, and it has been for 10 years or maybe even longer, at least at the Federal side.

Senator HAWKINS. So even though you don't support the local prosecutor's plea for more help in prosecution, would you support, say, this caucus' request to the Vice President that maybe we can go on a building binge here and lower the unemployment figures and build some, you know, handy-dandy, low-cost jails in each State?

Mr. NUNEZ. Anywhere, everywhere.

Senator HAWKINS. That's really not just your State and mine, but——

Mr. NUNEZ. Well, I think there is some money. I thought that was under consideration, or had already been approved for additional Federal jail space, and they were about to build an MCC in Los Angeles. There are a few others——

Senator HAWKINS. Is it going to look like the other one?

Mr. NUNEZ. I don't know. Ask Congressman Roybal. He's trying to take over personally the design of the facility.

Senator HAWKINS. I will do that very thing in a letter. Thank you for the suggestion.

I read an article either in the Post, or the Times—or the New York Times, that caucuses were the most effective—did you see that?

Senator DECONCINI. Yes.

Senator HAWKINS. Most effective form of committee: loosely knit, but single interest, and multijurisdiction and single purpose. Would that help you as the coordinator of this Southwest region for this task force to get all four to six members, Senators, to, you know, make a decision, say more prosecutors, more judges, more jails, so that you could forcefully pursue these drug traffickers and get the message they're going to be prosecuted, one; they're going to be apprehended, and they're going to stay away for a long time from civilized society?

Mr. NUNEZ. Well, I don't think that—I don't think that anybody denies the need for an increased effort across the board in law enforcement, State, local or Federal. Everybody has—no one has enough resources. Everybody wants more.

And then you get into essentially a political weighing process as to what's the most important way to spend the money that you want to raise, you know, from the taxpayers. And obviously, I have——

Senator HAWKINS. Well, the cost of not doing it, in my opinion, is to have a paralyzed society. I mean, you have youth that are— young people that are growing up thinking that everybody in their classroom, you know, has to be on drugs. I mean, the kids we've had testify all over this country, this is the first hearing we've had. We haven't had the kids come in and tell you how to get on it, how long they stayed on it, and why they get off of it.

And to me, the cost of not putting these organized crime figures—I mean, it's rather appalling to come to each area of the United States and have everybody say we know the families, they're organized figures, they're Mafia types. And in a private discussion, you can give me a list of their names and where they're located. And we heard from the local prosecutors this morning, 27 months doesn't scare anybody. And bail doesn't scare anybody.

And then, you know, the judges let them back out again. So it says to me that I know we're budget conscious, but it seems to me the best money spent is to stop this epidemic.

MINIMUM MANDATORY SENTENCING

Mr. NUNEZ. They mentioned this morning also—I think you asked Mr. Neely about the minimum mandatory sentencings, and I

think that that is something that we used to have in Federal law enforcement that went away about 1971, at least in the drug field, and it's something that I think personally is needed almost in every drug prosecution, not just the continuing criminal enterprise type of a case.

Senator HAWKINS. Thank you very much.

Senator DeCONCINI. Senator Wilson?

Senator WILSON. First, I would like to express pleasure at what I heard from Mr. Nunez as well as Mr. Johnson. I don't find a reluctance on his part to ask for more, but I think I sense a certain resignation. And I guess what the chairman is urging you to do is not to be resigned, but to assist the Caucus in asking for more from you. And I don't think you're going to resist that.

On page 4 of your testimony, you have said that during the last year, there has been a significant increase in the availability of cocaine. And you've also noted that 1 year ago, the majority of the cocaine seen in San Diego was being flown to San Diego from Florida, but now more is entering from Mexico.

What is the explanation for that?

Mr. NUNEZ. Well, I think it was—it is—I think someone mentioned this morning, I think that Commissioner von Raab said that most of the cocaine is still coming in through the Southeast, in spite of the successes we've had in the number of seizures, and I think it is still easier. I think it's a matter of geography.

Look at the map, and from the east coast of Colombia, to the east coast of the United States is pretty much a clear shot. To do it the other way—and I think this is what's going to happen—I think that there was already some sign that the Colombians are now shifting over to the west coast of Colombia, and will then come up the west coast, and then either through Mexico into the United States, or directly into the United States. And the coastline—and this is not a problem of the Southwest border as much as it's a Coast Guard problem, Customs problem.

The coast of California or west coast of the United States is almost as impossible to effectively control with the present resources as any other place. So I think part of the reason that there has been increased pressure in Florida, and the traffickers are in the process of rethinking their routes. I think still at this point, most of it is coming into Florida and being flown to Los Angeles and then driven down to San Diego. But more and more is coming through Mexico or up the coast.

DRUGS IN MIAMI AREA

Senator WILSON. Do you have any idea with respect to what is coming in from Miami, is most of it coming over the border from Mexico, or do you actually see it bypassing San Diego, being landed up the coast and then coming down?

Mr. NUNEZ. Well, most of the seizures that we've had were in situations where the wholesalers, people in San Diego, the wholesalers that were selling it, were selling it to people from other parts of the country. That's always been San Diego's traditional role pretty much in the narcotics traffic.

It's so close to Mexico, that it is the place where the people from Iowa or Michigan or Detroit or Los Angeles or wherever—it's where they come to make their connection. So they meet in San Diego, they make the buy, and then the drugs are transshipped to some other part of the country. Obviously some of it stayed behind for local consumption, but not anything close to the amount we see going through.

Senator WILSON. I would assume that because of the difference in the value and the quantities that are involved, at least if we're talking about the processed heroin and cocaine, that a completely different mode of operation is involved.

I remember reading something, oh, about 2 years ago that a freighter, a small freighter that had actually foundered off the coast of Mendocino County that had been—or I guess actually they had scuttled it. Do you know what happened? They took the cargo off and took it ashore, and then scuttled it.

Mr. NUNEZ. Well obviously, marihuana presents a problem for the smuggler in that he's dealing with bulk. He needs something large to carry it. Depending on how—how large an operation you have, you can bring a pound of cocaine or a pound of heroin across the border anywhere. You can conceal that anywhere. And your chances of finding it, unless you have advance information are almost nil. And I don't know that anybody has ever suggested a better way to try to interdict that other than the thing that they used in San Diego in 1969, Operation Intercept, where they had cars backed up for 10, 15 miles down the Baja Peninsula. And obviously, we pay a price. I mean, if you want the convenience of people crossing the border, then you sacrifice your ability to adequately inspect and search.

If you want to do a better job inspecting and searching, then you're going to have longer lines, and you're going to have merchants and businessmen and tourists and everybody else getting upset. So there's a judgment there that somebody has to make. For the last 10 years, that judgment has been made in favor of convenience and keeping the traffic moving. I'm not necessarily sure that we should continue that philosophy. Maybe what we need to do is have everybody participate or be subject to a more vigorous inspection.

COOPERATION FROM MEXICAN GOVERNMENT

Senator WILSON. Have you, in your investigation and prosecutions over the past few months, been aware of any greater cooperation on the part of the Mexican officials?

Mr. NUNEZ. Well, I thought the description this morning that that was a seasonal phenomenon was a charitable way to put it. I don't really know. I've never been able to figure out what makes them cooperative on some occasions, and uncooperative on other occasions. We ourselves don't get involved in the direct contact with the Mexican officials. But what we hear is, you know, primarily from DEA and Customs.

The election cycle always has something to do with it. I frankly don't know from my perspective whether I am—I'm not in a posi-

tion to say whether they're more cooperative now than they have been. It's always a problem. It's a tremendous problem.

INCREASED DRUG TRAFFIC IN CALIFORNIA

Senator WILSON. I notice that in Mr. Johnson's testimony, he has noted that California now enjoys a doubtful distinction of having taken the lead from Texas in terms of border seizures ever since 1981.

Is that just a function of the market?

Senator JOHNSON. I'm not sure what that's a function of, Senator. I think—are you referring to page 1 where we're talking about strictly heroin?

Senator WILSON. Yes.

Mr. JOHNSON. It's the geography of Mexico, the overland traffic. The bulk of it, if it's coming through Mexico, goes either into Texas or into California. Why it shifted to California, I don't know.

The seizures statistics that were used when this statement was prepared indicated that that was the case in heroin.

Senator WILSON. It doesn't necessarily have anything to do with where it's grown in Mexico; does it?

Mr. JOHNSON. I don't think so. I don't know, sir.

Senator WILSON. OK.

Mr. NUNEZ. I think it probably has most to do with which organizations are involved. There are, as I point out in my statement, some traditional families, and I think for some reason, the ones that are located in Baja Calif., Mexicali, Tijuana, primarily, have become more active lately.

Senator WILSON. Let me ask you this, Mr. Nunez: It seems to me as we have been listening to witnesses all day, increasingly, it seems clear that at the prosecutorial level, you are having to deal with not necessarily failures of the rest of some, but the need for more prosecutors, the need for more judges, always occasioned by both an increasing volume in this whole traffic, and the inability to prevent more cases from ever developing by interdiction or eradication at the source.

And I would just ask whether or not within NNBIS, there has been any kind of a cost study as to the comparative cost effectiveness of the dollars spent, let's say, for additional prosecutors or additional efforts in interdiction?

Mr. NUNEZ. If there has been any cost analysis done, I'm not aware of it. We're—the Department of Justice, particularly the U.S. Attorney's Office—we're not involved in any major way in NNBIS, and will not be because it's an interdiction function. Not primarily investigative or prosecutive.

In my judgment, the system, the criminal justice system in the Federal courts, at any rate, has never worked better. I say that because we now have more resources than we've ever had before. Not only prosecutors, but judges and agents. There is a clearer focus on what we're supposed to be doing than there ever was before. There is more cooperation. There was—in the past, to get IRS and the DEA and the FBI to sit down in a room and cooperate on a case that was subject to the personalities of the local SAC's or the local—the agents involved. Now that's being mandated from Wash-

ington. They are being told to do it, and it is working. It is not perfect yet, and I think it's going to—there's going to be some growing pains.

But I go back to where I started. I don't think that we've ever been in a better position. We know what we're supposed to be doing. We have an apparatus that can work, and now I think the judge—the responsibility is on all of us, Dick, myself, the people in the field to actually implement it and make it work. How that—how that all relates to the interdiction effort, I think, is a different—a step removed.

And the interdiction, I think, is something that will rise—the improved interdiction will rise or fall on its own merits. I mean, there will either be better resources made available, or there will not be. Obviously, there have to be more resources made available that are sophisticated enough to make it work. And, yes, theoretically, if NNBIS were perfect, you would have very few cases in the long run to prosecute any more or investigate, and we could probably devote ourselves to other kinds of cases.

Senator WILSON. Let me just ask this last question of Mr. Johnson. Before I do, I would invite you both, as I did Commissioner von Raab, to submit in writing in whatever level of detail that you want, either your support for existing legislative proposals, the kind we have been discussing here today that have to do with denial of bail in certain circumstances, or your judgment for additional legislation I would urge you to let us know what you think it required in the way of any legislation to permit you to better do your job.

MAJOR ENTRY POINTS IN UNITED STATES

Mr. Johnson, in your testimony, you said that the success of the South Florida Task Force has apparently forced South American traffickers to focus on the Mexico-United States border, and then you said with respect to the Colombian traffic, during the past year, both the rate and quantities of Colombian marihuana and cocaine seizures have increased noticeably. While most of the Colombian marihuana is entering through Texas, most of the cocaine is entering through California. That statement is somewhat at odds with the comment that most of it is still coming in by way of Miami, the comment that Mr. Nunez made.

Could you clarify your comment about most of the cocaine entering the country through California?

Mr. JOHNSON. Again, these were taken from statistics that were compiled at DEA headquarters indicating that more cocaine seizures were taking place in California rather than Texas.

Senator DECONCINI. If the Senator would yield, I wonder—maybe—I saw that, too, if that wasn't referenced to the Southwest, the cocaine—

Mr. JOHNSON. Perhaps I misunderstood your question. It is the Southwest that we were referring to, I was referring to, in the statement.

Senator WILSON. I see. OK.

Mr. JOHNSON. Of that which comes across the Southwest border, not what comes into the United States.

Senator WILSON. OK. Well, Mr. Chairman, I will yield. I think that as you have made it clear repeatedly today, what seems clear is not only the validity of Mr. Johnson's observation about the success of the South Florida Task Force having placed pressure down in this corner of the country, but it would seem that the success that has been enjoyed here is attributed not only to the effort and the cooperation of a number of different Federal and local agencies in south Florida, but also just to the success of concentrating resources. And that's not hard to understand.

And it leads me to come rather simply to the conclusion that the way to repeat the success is to concentrate resources in a similar magnitude elsewhere.

Senator DECONCINI. Thank you, Senator. I certainly agree. I think we also agree that part of that success in Florida was the determination of the Vice President and his involvement, and the willingness, quite frankly—

Senator WILSON. Absolutely.

Senatro DECONCINI [continuing]. Of some very fine, professional law enforcement agencies to lay down the turf battles and get with it because they've had problems in Florida long before the last 2 years. They've been going on there for a long time. I think it's very obvious.

Thank you, Mr. Johnson, very much, Mr. Nunez, for traveling over here. We appreciate your time.

Mr. NUNEZ. Thank you.

NONDEPARTMENTAL WITNESSES

NATIONAL NARCOTICS BORDER INTERDICTION SYSTEM

STATEMENT OF HORACE CAVITT, VICE PRESIDENT'S COORDINATOR FOR THE SOUTHWEST REGION, EL PASO

INTERDICTION EFFORTS OF NNBIS

Senator DeCONCINI. Our last witness today is Mr. Horace Cavitt, the Vice President's coordinator for the Southwest region in El Paso.

Mr. CAVITT. Mr. Chairman and members of the committee, I am Horace Cavitt, regional coordinator for the National Narcotics Border Interdiction System, Southwest border region. I assumed the duties of regional coordinator for the NNBIS system on June 17 of this year. I am pleased to discuss our interdiction efforts with this committee.

NNBIS, as announced by the Vice President on March 23 of this year, is a program designed to coordinate the Federal effort against the narcotics trafficker attempting to cross our borders by land, by sea, or in the air. We will use the general principles and successful interdiction techniques developed in south Florida over the past 2 years. We have had some successes already and coordination between agencies continues at a high level.

The border region of NNBIS covers the Mexican border from Brownsville, Tex., to Yuma, Ariz. The center is located at El Paso, Tex.; presently manned with 24-hour coverage, 7 days a week. I expect we will be up to full strength within 2 months.

People from each of the Federal agencies who have a role in drug interdiction plus State and local representatives will be actively engaged in a coordinated drug interdiction effort on the Southwest border. The Drug Enforcement Administration, Federal Bureau of Investigation, Border Patrol, U.S. Customs, the Coast Guard, Department of Defense, the intelligence community, El Paso Police Department, and the State of Texas are all contributing in some manner. The bulk of the manpower is being provided by Customs, and the Department of Defense. Facilities for the operations information center and the intelligence information coordination center are temporarily located within Customs facilities with permanent quarters being sought by GSA.

The center will be divided organizationally into three parts: Operations Information Center [OIC], Intelligence Information Coordination Center [IICC], and Air Operations Section [AOS].

All three groups will report to the staff coordinator, then to me. The Operations Information Center will coordinate intelligence with resources and recommend action to the command and control element of the resource. The Intelligence Information Coordination

Center will look at the total intelligence picture for the area with information from all possible sources and present a picture of the criminal activity in the area. The Air Operations Section will vector and advise air resources of the locations of air targets for intercept, or other follow-up action.

To insure coordination with the organized crime drug enforcement task forces set up last year, a liaison link has been established with each regional task force coordinator. One of the agency task force coordinators, assigned to the regional drug task force in this area, will be advised of all cases we have in progress and the NNBIS center will be advised of any cases in which an interdiction may arise.

To keep local law enforcement agencies advised of our activities, I have asked State enforcement directors to designate a contact point in the State agency responsible for drug enforcement. In Texas, that person will work in the center. In the other States, New Mexico and Arizona, the person designated will likely remain in the home State. The State agents designated will also provide us with the State and local intelligence needed to round out the picture.

Information will be exchanged on a continual basis with the other NNBIS regional centers and with the El Paso intelligence center. EPIC's role in intelligence will not decrease but will increase as they coordinate the nationwide assessment. They will provide the strategic information necessary to meet the changes in tactics of the smuggler.

SOURCE COUNTRY ERADICATION PROGRAMS

Overseas, source country eradication programs under the Department of State are working to reduce the supply of contraband drugs at the source. Within the United States, domestic eradication programs under DEA, in cooperation with the various States, are targeted on reducing homegrown marihuana and eliminating illegal chemical production of drugs. Domestic enforcement programs under DEA and extensive research and education efforts are working to reduce the demand for illicit drugs. The Attorney General's task forces are aiming at the large organized traffickers in contraband drugs and their complete organizations and finance structures.

The overall NNBIS effort nationwide is intended to fill a gap in the country's drug enforcement program. The NNBIS mission is to stop the drugs at the border and, to do it by making the maximum effective use of all of our national assets in a fully coordinated, systematic approach to the problem. We will make extensive use of our national intelligence community and of our national defense resources, but with the assurance that we will not adversely impact on our defense readiness.

The key is coordination—taking advantage of available assets without duplicating efforts between agencies and without leaving areas of interest uncovered.

It is not a small task and will require extraordinary cooperation, not only within Federal civil law enforcement agencies and the Defense Department's military services, but also within the many

State and local enforcement agencies and State National Guards and Air National Guards.

Working together, there is no doubt in my mind that we can and will do it.

That concludes my prepared testimony, Mr. Chairman. I would like to state that the participating agencies in NNBIS have been strongly supportive of the Vice President's efforts. They are being most cooperative. I will be happy to answer any questions you or the others may have.

[Following is an attachment to Mr. Cavitt's written statement:]

DISTRIBUTED DATA SYSTEMS

The following ideas for automation came from a recent brainstorming session of enforcement officers in the Southwest region:

Update TECS terminals (hardware itself).

Code for geographical code for location for D.O.B., e.g., (known to be from L.A., etc.).

More flexibility for querying V.I.N. numbers (partial numbers).

Database for F.A.A. ownership information.

Automatic query for all TECS databases (Interpol, NCIC, etc.).

Database for telephone, utility subscribers, etc.

Database for purchaser information on aircraft from manufacturer (how paid for, business, credit information, employer).

Make TECS more user-friendly.

Fail-safe system to make TECS database current.

Link remote ground sensors via satellite to duty agent (automatic screen on down-side to verify accuracy).

Datalink with Interpol and all friendly countries' systems.

Automated and ongoing threat assessment based on 151's SEAR to geographically, seasonally depict trends.

Electronic input, mailing, automatic index; one-step processing.

Modernize access to C3 entry.

Local office telan access.

Automated information directory to pair up needed information with best sources for that information.

Smart, user-friendly terminals for each office.

Voice-activated terminals.

Memory hold for when terminals are down so information can be transmitted later.

NEED FOR RESOURCES TO FIGHT DRUG TRAFFICKING

Senator DeCONCINI. Do you want to go to questions?

Mr. CAVITT. Yes.

Senator DeCONCINI. Fine. Thank you. Well, Mr. Cavitt, I'm going to ask you to commit the—probably the most unpardonable sin from an administrator, but I can't help but ask you the—to give me your candid observation of what needs to be done in drug trafficking as to resources. The administration quite frankly has recommended serious law enforcement personnel cutbacks. Just take Customs, for example. There have been 2,000 positions recommended to be reduced, and I can't help but feel, as one member who's been around the horn a little while in this effort, that the Federal drug interdiction effort could be summed up as we can do more with less.

Now there has been the organized crime task force, and we see that certainly moving slowly, with only half of that money being obligated in the last 11 months.

Let me—let me have it from you. What resources do you think it would take to really slam the door on the drug traffickers in the Southwest? And if you can give me your thoughts, I would appreciate it because I think you have a very receptive Congress. I know there are budget restraints, and I know there will be the problem of contradictions.

You're cutting here and talking balanced budget there but you're raising it here. And that, to me, happens on almost any appropriations or budget item.

But it really occurs to me that this is one everybody would be glad to see and I wonder if you care to share with us what you think it would take based on your past experience in law enforcement, to really get at this problem. What will it take to do this?

Mr. CAVITT. To actually shut the door, I think it would be impossible, in a country like we live in, in a free country. I know not even the Berlin Wall isn't completely secure. But however, to—for your point, to make the smuggling so risky on the border that you could severely curtail it, I think we need equipment probably more than manpower.

I would see if we can raise the risks of a smuggler through, let's say, an air smuggler, for instance, utilizing airborne radar platforms or good ground radars, raises the risk factor to about 50 percent. Then I think that would slam the door. That would do it. If—

Senator DECONCINI. Let me ask you: Do you think that's possible?

Mr. CAVITT. Yes, sir, I think that's possible. I think it would cost a great deal of money. It would cost a great deal of time, and I think it would take some years to put something like this into effect.

Senator DECONCINI. Well, I'd like to think that you're on the threshold of that, and I use that cautiously, at least moving in the right direction. And I compliment you and the Vice President and your staff for the coordinated effort you've been trying to put together, and I think the time is here to come back with those requests in a meaningful way.

You're going to find a lot of support on both sides of the aisle.

SURVEILLANCE EFFORTS IN SOUTHWEST

Now, Vice President Bush made a speech on June 17, and he talked about the Southwest border. He said he recently observed an increase in the smuggling of brown heroin, and the vastly improved grade of marihuana along with a great increase in overflights of the border by cocaine smugglers.

And the Vice President went on to say, and I quote here, "We will move surveillance assets to cover the low altitude routes to interdict the large aircrafts flying drugs from Colombia."

Now since that time—I realize that's only a few months. What specifically surveillance assets have been moved to the Southwest since June?

Mr. CAVITT. I would like to answer that in principle generally, and if you want more specifics, I will give it to you later in executive session.

We have utilized airborne radar platforms since June, and have had successes, a couple of successes using them. We have used certain other sensor—sensors and ground assets, which I can point to with a great deal of success at this time. We are working out some problems that—communication problems between ourselves and the military and between different branches of the military working together. We've had some little minor problems that we're working out, and we hope we have those settled now, and we think we're going to be a great deal more successful. But now, I can't point to any booming successes, Senator.

Senator DECONCINI. Can you point—even if you had to do it in a closed session later, can you point to specific surveillance assets that have been assigned to the Southwest centers?

Mr. CAVITT. Yes, sir.

Senator DECONCINI. You have that from NNBIS.

Mr. CAVITT. They periodically have been assigned. We don't have anything assigned to me that I can say is the Southwest border center's assets which I will use from now on. I don't have that. No, sir.

Senator DECONCINI. Now my last question is, I have asked most witnesses here today to give us their views of the Appropriations Committee recommendation, giving Customs—that they would be allowed to conduct followup drug investigations in cooperation with the Department of Justice.

What's your views on Customs having this authority?

Mr. CAVITT. Yes; I think they should.

Senator DECONCINI. Thank you. Senator Hawkins?

ASSISTANCE REQUESTED OF DOD

Senator HAWKINS. Would you describe for me the procedures in which the Federal and the State and the local drug enforcement agencies may request assistance from the Defense Department?

Mr. CAVITT. I'm not sure I'm familiar with what the—what the local officers do in requests. I believe—

Senator HAWKINS. Under NNBIS. Is there any procedure now that you're—I know you're new, and you just came here. Do they all come to you?

Mr. CAVITT. The officers that come to me—and all of them don't come to me. We haven't had time to go to the State's individual office yet to tell them what we are and what we can do for them.

The officers that have come to me and asked me for a specific asset, I take that request, go to the base that I think that has this asset, and then make the request for it from the military. We are presently getting inventory of different assets that are available at different locations, the assets that are available from the military.

AVAILABLE MILITARY EQUIPMENT

Senator HAWKINS. Do you have a copy of the list that Dr. Korb spoke about that gave the equipment that was available through the National Guard and the Defense Department that he supplied to the South Florida Task Force?

Mr. CAVITT. Yes; ma'am. I have that in El Paso.

Senator HAWKINS. Have you been in the position long enough to assess the drug smuggling activities in, say, Arizona?

Mr. CAVITT. The knowledge I have about the activities in Arizona, I obtained probably from sources prior to my becoming coordinator for NNBIS. I have picked up some information in the last couple of months, but certainly not enough for me to assess the drug trade independently of the—you know, independently of the knowledge that I had before.

Senator HAWKINS. How about the Southwest?

Mr. CAVITT. Southwest, the same thing.

Senator HAWKINS. Same?

Mr. CAVITT. We have a 2-month track record so far, and I would hesitate to predict based on that alone, a threat.

Senator HAWKINS. By comparison to other areas, there appears to be less Intelligence on patterns or quantity of drug trafficking in the Southwest region, from the hearings I've held in other areas.

Can you advise us as to the actions which you would like to see taken to improve the situation?

DRUG THREAT IN SOUTHWEST

Mr. CAVITT. Well, I agree that the drug threat in the Southwest as compared to, for instance, south Florida, Louisiana, is not nearly as bad. The—to counter the threat that we do have in the Southwest, we need improved intelligence. I would particularly like to see additional assistance. I'd like to see a lot of assistance.

I'd like to see a whole lot of assistance from the intelligence community, CIA, NSA, that type of intelligence. Before we can successfully give tactical targets to interdiction units, this is an area we must look into, and we must have access to. We are proceeding with that.

I am meeting with the intelligence community off and on. We haven't got the door open as wide as I'd like to have it, but that's where we must go.

CONTRIBUTION OF EPIC TO INTERDICTION EFFORT

Senator HAWKINS. I sure do like you asking for help. Please describe how EPIC—I asked that question to someone earlier—the El Paso Intelligence Center—you've been there a couple of months now. How does that contribute to the Southwest drug interdiction?

Mr. CAVITT. The El Paso Intelligence Center—it's kind of a giant data base that we feed off of. They have several or numerous systems there that they've been maintaining for several years, and they're quite large.

When we want a question answered about a particular subject, or theme, we go to them and they tell us. The El Paso Intelligence Center additionally has been giving us all lookouts that are placed by the interagency groups that belong to EPIC.

They've given us all the lookouts that they've placed along our region, southwest region. We correspond with EPIC almost hourly. Our Senator talks to them.

Senator HAWKINS. You call them?

Mr. CAVITT. Yes; we call them and they call us.

Senator HAWKINS. And they call you. How many times a month do you think you talk to them?

Mr. CAVITT. Goodness, I—

Senator HAWKINS. You don't know? I mean, is it exorbitant?

Mr. CAVITT. A hundred times?

Senator HAWKINS. Because there's been some comments made, you know, off the record, that very little use is made of the EPIC in this new war on drugs. I just wanted to get your opinion and how useful it is, how many calls are made through the year, how much you depend on it, and how much help they give you?

Mr. CAVITT. Well, they give me a tremendous amount of help, and I am, of course, very familiar with EPIC. I spent 5 years there.

Senator HAWKINS. Yes; how current is their information?

Mr. CAVITT. The lookout information is very timely. We have data bases that are historical data bases, criminal history type information, information from intelligence reports submitted from the various agencies, which is also historical.

There are some programs that EPIC is working now in our special operations section. There's three programs operated out of there that is very timely. It's a real-time information on situations that are happening primarily in south Florida and the Caribbean area.

Senator HAWKINS. Thank you. I know that it's a big job, and you're just undertaking it, and we appreciate that.

And it's, you know, my feeling, I don't want any holes in this border anyplace. I mean, I'm the Senator from Florida, that's true. And we still have a tremendous amount of drugs coming in there, even with the focus, and attention, and the money we've spent. You know, we're just getting the tip of the iceberg, and to spread this across the whole United States is a dynamite idea. But, you know, I won't be happy if it—we push out here and then we go—you know, they're going to get in someplace, wherever there's a hole in this network. Let me tell you, they're going to come in. And then like the testimony here today shows us all that these entrepreneurs, you know, don't have any respect for the law and order anyway. So they'll drive it back to Florida by car. They're doing it now.

You know, we've got them pretty well blocked out by sea and air, so they've got the New York express, they call it, the Long Island express. They took all these traffic routes, and they put it in a car and drive it back down, or they drive it to California or whatever. So I'd say that you need to seal the border which was the purpose of NNBIS in the first place, and then we'll concentrate on eradicating that which we have here.

And the education process, it is a three, full-pronged attack, and I appreciate your being willing to serve in such a vital, key position, Mr. Cavitt.

Senator DeCONCINI. Senator Wilson.

NNBIS SUCCESSES

Senator WILSON. Thank you, Mr. Chairman. Mr. Cavitt, first, I think NNBIS ought to be congratulated upon the success in south Florida. And as is so often true, that success has bred another problem that we've been discussing here this morning.

Let's go back to the history of NNBIS. The question that I would ask you, and I guess I really ought to ask my colleagues, has the

administration, or GAO, or anybody attempted to make a cost-effectiveness study of different approaches?

Mr. CAVITT. Different approaches toward solving the drug interdiction problem?

Senator WILSON. Not just drug interdiction. Presumably NNBIS came about as a result of a decision that we would be overwhelmed if we did nothing other than to wait here on our shores for the problem to come and visit us in an ever greater volume. So the effort was made to try to interdict, and there have been, of course, other efforts to eradicate.

A certain logic, I think, attends the view that if you can eradicate it, you would cut down your other expenditures because the need would cease to exist, at least in the same volume. Saying the same thing is true to a lesser extent with respect to interdiction, and it's only when you reach the prosecutorial level and ultimately the penal level that you're faced with a necessity for ever rising expenditures because the problem is growing, and what I'm saying is maybe it wouldn't require a very sophisticated study. It seems that the place where we ought to be making the effort is containment and in prevention. Now it's much easier to state it than it is to achieve it, as you know better than I, having been involved in the interdiction effort. It just seems to me that the cost benefits of success at that level are so obvious and so much greater that we could justify a greater effort and greater expenditure in terms of what we would be saving on the other end.

Mr. CAVITT. Yes, sir, I think that crop eradication and interdiction is probably—I believe it's the most effective way to attack the problem. As we saw recently from what happened in Mexico, 1975, 1976, 1977, 1978 and during that time period when the Mexican Government—when their operation destroyed the marihuana fields, poppy fields, it had a tremendous impact on the narcotics trafficking along the entire Southwest border. It cut the flow across the border 80, 90 percent.

They did a tremendous job, and that's one reason our threat here in this area is as low as it is now. Yes, sir, that is a very effective way to—to settle our problems.

COCAINE ERADICATION IN COLOMBIA OR BOLIVIA

Senator WILSON. I may be asking the wrong person. Perhaps I should be asking Commissioner von Raab or somebody from DEA.

But what effort, if any, has ever been made to try to achieve eradication with respect to cocaine in Colombia or Bolivia?

Mr. CAVITT. You would need to ask someone else, sir. I'm not aware. I mean, I know effort has been made, but I'm not qualified to speak on it.

Senator WILSON. Mr. Chairman, do you mind if we get—

Senator DECONCINI. No. Mr. von Raab, can you come in and pinch hit?

Mr. VON RAAB. I don't want to disappoint you, but I'm actually the wrong person, too, but the responsibility for that is the responsibility of Assistant Secretary Dom DeCarlo, in the State Department. However, I can give you—I believe that if you read some of the Secretary DeCarlo's recent memoranda on that, I think that he

has a more positive feeling today than he did maybe 1 month or 2 ago.

However, it has turned out to be extremely problematic to get good eradication going in Colombia. That is, his office's primary responsibility—although DEA assists him in a technical sense in terms of some of the techniques and other equipment that might be used. So I would recommend that you contact Dom DeCarlo. He's a very nice man.

But I think you will find that the eradication program which does seem like the absolute panacea to the drug problem, because if it weren't grown in Peru and Bolivia and some of it in Colombia and processed in Colombia, we wouldn't have a cocaine problem. But that sort of control that comes from those governments have over the difficult geography of their country, makes it extremely difficult. They just don't have enforcement controls over the whole geographic area, unlike the United States, in which the law really runs through all parts. It doesn't in those countries.

And they also have just government inertia, I think is—would be putting it very politely with respect to some of these programs. That's a State Department term.

Senator DECONCINI. Do you have any more questions?

Senator WILSON. Yes, just one quickly.

Senator DECONCINI. Go right ahead. I don't want to cut you off.

MEXICAN-GROWN COCAINE OPERATION

Senator WILSON. One of the more interesting things I've heard today was a comment from "Mr. B," and I haven't heard anybody follow up on that. I wonder if either of you gentlemen could corroborate his statement that there seems to be in progress an experimental effort in Mexico to take some of the business away and cease being the middleman, but be the whole show by having a Mexican-grown cocaine operation.

Mr. VON RAAB. Do you have any information on that?

Mr. CAVITT. I can't corroborate that.

Mr. VON RAAB. That is something—it's new to me. I wouldn't be surprised that they continued to be the middleman. But as far as—well, first of all, they can't be the whole operation. In order to be the whole operation, they've got to grow coca leaves, and they have to produce coca paste, and I just—it strikes me as highly unusual that that would take place in Mexico. But he may know something that I don't know.

Senator DECONCINI. If you would yield, if I'm not mistaken, most of that is really not grown in Colombia. It's grown in Bolivia?

Mr. VON RAAB. Grown in Bolivia, right.

Senator DECONCINI. So there really are some geographical confines, I understand, on the quality tied to the coca paste, so I was surprised to hear that, too.

Mr. VON RAAB. It doesn't make much difference to me, but you know, I—anything can happen. But it just—it seems unlikely.

Senator WILSON. If you could grow it, it would make a great deal of sense if you were a Mexican criminal. Why give the profits to Colombians?

Senator DECONCINI. Well, if Senator Wilson will yield I have got a little bit different feeling there that maybe he was talking about a partnership between Colombians and Mexican drug dealers in channeling it through Mexico, but I'm not quite sure.

Mr. VON RAAB. That, by the way, would be a recent development, or at least a slight change because Colombians typically have not used middlemen even to deliver the drugs. They have delivered it themselves, or at least they have delivered it to the border of the United States. And we haven't seen before, their use of another country, as an intermediary. So if even the Mexicans were supporting to Mexico for transshipment to the United States, that in itself would be a change in pattern as opposed to merely using Mexico as a refueling spot, or something which we've seen.

But if they actually were transferring the goods to Mexican citizens who then, in turn, to take it across the border, that would represent a change in the way they would be smuggling. That may be what he was talking about. Is that what you were talking about?

Senator DECONCINI. That's what I thought he was talking about. Then he made some reference about the Cubans doing the same thing. I don't know if there was any verification of that.

Do you have any other questions?

Senator HAWKINS. No; I might say for the record, that when the seven Colombian Senators came to my office as a result of the amendment that I filed, denying foreign aid to any country involved in drugs, they brought the Minister of Justice also, and the Minister of Justice was a lady from Colombia. And she had a tremendous number of photographs showing the five helicopters the United States had given them and their eradication efforts. They had 4,000 uniformed young men that were in their war on drugs, war on cocaine, and had a lot of "show and tell" type stuff, showing how they'd go way up to the mountains and eradicate small patches on the hill. Thinking—and saying this is our great demonstration effort of what you've done. But, of course, it's increased 1,000 percent during the time they're having this eradication effort. So there's a great conflict.

And in the New York testimony of the hearing I held in New York City, Senator Milo and Representative Gillman and Charlie Rangle had just returned from trips in all those countries, and their testimony is eloquent on what they saw with their own eyes, that this is no pleasant operation; that it looked like Daniel Midland type of operation, with professional harvesting equipment, bailing equipment, big stamps, helicopters of their own. The producers have helicopters of their own that lift it out of the hills, and they're very, very, very sophisticated and involved very closely, very tightly, as you say, with whatever current government is in power there.

So it is a delicate problem, and the testimony is very good in the New York case.

INTERDICTION PROGRAMS

Senator DECONCINI. Mr. Cavitt, I have one last question I'd like to ask you. I know the plans of the interdiction program that you're involved in consume the entire U.S. borders.

Is it fair to conclude from not only these hearings, but other information I have that there is a greater emphasis along the southern border?

Mr. CAVITT. Yes, sir.

Senator DeCONCINI. OK, fine, thank you.

Mr. CAVITT. Yes, sir.

Senator DeCONCINI. Thank you. I have no further questions, and I want to thank the witnesses today, and certainly Senator Abdnor again, chairman of the subcommittee who authorized these hearings. We have statements from another—many other members of the two caucuses that were invited to attend these hearings, and the record will remain open for 2 weeks for those statements.

SUBMITTED QUESTIONS

Additional questions may be submitted.

[The following questions were not asked at the hearing, but were submitted to the witnesses for response subsequent to the hearing:]

QUESTIONS RESPONDED TO BY MR. CAVITT

Question. What role, if any, do you and other regional NNBIS coordinators play in recommending resources for drug interdiction in your areas and what evidence do you see that NNBIS will play any role in putting together a coordinated drug interdiction budget for next year?

Answer. We use very little in the way of budgetary influence by NNBIS. The individual agencies are responsible for developing their own budgets and administering the expenditure of funds. NNBIS is not expected to enter into the budget formulation process.

Question. What specific examples can you point to of active participation in NNBIS by DEA—are they being active members on the NNBIS team or are they focusing their attention and resources on the Organized Crime Task Forces?

Answer. The Drug Enforcement Administration (DEA) has representatives assigned to the NNBIS centers to share interdiction information. DEA should be active members on the NNBIS team to maintain fluency in their post interdiction investigations.

Question. Do you have indications that the Defense Department is prepared to inject large amounts of military hardware into the southwest border drug war and, if so, could you tell the Committee exactly what specific types of hardware are going to be focused on the drug problem in the southwest?

Answer. USCS and NNBIS are currently meeting with military personnel in the southwest to discuss and coordinate the use of military equipment and training to assist in the curtailment of the drug smuggling problem.

Military training flights and military mobile radar training will be used to detect airborne smugglers. This will serve a dual purpose of providing training to the military and at the same time enhance USCS ability to interdict smuggling aircraft.

WHAT NNBIS INTELLIGENCE TELLS US ABOUT SW DRUG THREAT

I know that NNBIS is still getting its feet wet in drug interdiction and in mobilizing national intelligence gathering resources on the drug problems, but could you tell us what NNBIS intelligence sources have indicated thus far about the character and magnitude of the drug smuggling threat to the southwest borders?

Question. What do your intelligence systems tell us about where the drugs are coming from, how they are being smuggled, and what drugs are hitting the southwest borders?

Answer. Although Customs cannot answer for NNBIS, our Intelligence Division furnishes all NNBIS stations copies of all our intelligence alert messages and special studies, i.e., narcotics threat estimates, bulletin on smuggling methods, etc. We believe that NNBIS can be of great benefit to all member agencies in assuring that intelligence concerning narcotic smuggling is distributed to all interested agencies.

Question. Could you give us a specific example of exactly what your operations information center will be doing on a regular basis to mobilize resources to attack drug smugglers in the southwestern border states?

Answer. The NNBIS operations information center will routinely collect information from various agencies as to the operational readiness and locations of their resources. The NNBIS center is in a position to recommend to the various agencies the appropriate resources to devote to attacking a specific threat.

Question. What happens in that case, where Customs command says "go get target X" and NNBIS is saying "send those resources to intercept target Y"—who wins and how would something like that be coordinated?

Answer. NNBIS does not and should not have operational control over any participating agency. Rather, they serve as a coordinating center to identify available assets that could be used to effect the interdiction. The USCS does not envision NNBIS ordering our resources from one smuggling target to another. In the event that Customs resources are dedicated to the interdiction of target X and NNBIS has information on target Y, NNBIS personnel will coordinate with the Customs command on which target should take priority. This priority should be based on the type of narcotic aboard target X and Y, level of violator and the chances of a successful interdiction and apprehension.

Question. What special NNBIS operations have been conducted along the southwest, land-locked borders; what have been the results; and what special operations are in the forecast for the southwest in 1983 and 1984?

Answer. Operation CASE—An intensified ground radar operation covering U.S.-Mexican border between Douglas, Arizona, and Columbus, New Mexico, during August 11-16, 1983.

Results: No targets of interest. Operation held during severe weather conditions.

Operation MARS—An intensified ground radar operation at Big Bend, Texas, from August 17-25, 1983.

Results: None

Operation BUSH LEAGUE—Airborne and ground radar surveillance of U.S.-Mexican border between San Diego, California, and Yuma, Arizona, and maritime airborne surveillance well off the California coast from June 10-15, 1983.

Results: None

NNBIS regional offices are to inform NNBIS Headquarters by September 26, 1983, of special operations forecast for the southwest in 1984.

QUESTIONS RESPONDED TO BY MR. NUNEZ

Question. What is the situation in the Southwest; what additional resources do you need to handle the southwest drug trafficking caseload and to really crack down on lower-level violators as well as the big guys?

Answer. Several thoughts should be kept in mind. First, as several witnesses at the September 10 hearings in Phoenix pointed out, every time you change one part of the criminal justice system, you cause a change on all of the other parts as well. It does no good to add additional prosecutors without increasing the investigative resources needed to bring new cases into court. More cases means more defendants, which means more judges, more jail space, etc.

Second, you cannot look at federal resources without also looking at their state and local counterparts. Our effort should be to divide up the workload among *all* of the local, state, and federal law enforcement agencies to arrive at a cooperative, efficient, and thorough system. We should be working together to see how to get the most out of our resources, based upon the varying circumstances from one location to another. Unilateral action by any part of this coordinated system is counterproductive.

Third, drug trafficking is not unique in federal law enforcement. No U.S. Attorney in the country is able to prosecute every conceivable federal offense that occurs. Of necessity, prosecutive guidelines exist for all categories of offenses. As a result, many cases are declined because of insufficient resources. Local and state prosecutors face the same problem.

If the goal is to prosecute every drug violation that occurs, then everyone—local, state, and federal—would need additional resources. At present, we are able to do an adequate job with what we have, provided that state and local agencies do their share too.

Question. Can you give us specific examples of inroads the Task Force has made in halting organized crime drug trafficking activities in the Southwest? Tell us about specific arrests, indictments, or other concrete evidence that the organized crime presence is being affected in the Southwest.

Answer. The Southwest Border Region Drug Task Force, consisting of the Southern District of California, District of Arizona, and the District of New Mexico, was authorized to hire 11 new prosecutors and 72 additional investigators (for 5 different

agencies) on March 30, 1983. It has taken the last six months to recruit and hire these new attorneys and agents. (In fact, not all of the investigators are on board yet.) Nevertheless, 13 cases have already been approved for investigation by the Drug Task Force, and are currently in progress. In addition, 5 new major cases are scheduled for review and probable selection within the next two weeks—two of which will involve labor-intensive electronic surveillance. Moreover, additional cases will be added as new investigators come aboard and get up to speed. To date, one indictment has been returned in San Diego, and a major indictment is expected in the Southwest Border Region within the next several months.

All of these cases should have a major effect on drug trafficking in the Southwest.

Question. What has been your experience in Southern California in prosecuting the lower-level drug smugglers and putting them in jail?

Answer. If we can demonstrate to the sentencing judge that a particular defendant is a major violator (Class I or II, substantial assets, etc.), we are moderately successful in getting significant jail sentences. Some judges are better than others in this regard. However, the "little guys, the low-level drug runners" almost always get a slap on the wrist. We need tougher sentences across the board, from the little guy to the top guy. Minimum mandatory sentences provided by law would help improve this problem.

Question. What has been your experience in prosecuting drug interdiction cases in the Southwest? Are important drug interdiction cases falling through the cracks and, if so, what can we do to improve the situation?

Answer. I am not familiar with the facts upon which GAO based its conclusions. In my experience, not a single important drug interdiction case has fallen through the crack in the Southwest. There is an established procedure for coordinating the operations of the Organized Crime Drug Enforcement Task Forces (OCDETF) and the National Narcotics Border Interdiction System (NNBIS). Once the decision to seize a target is made, that action is done by either the U.S. Coast Guard, the U.S. Customs Service, or other Federal, State and/or local enforcement agencies. If the seizure is made by the U.S. Coast Guard, they turn over seized persons, contraband, and/or conveyances to Customs. Customs then proceeds as if it were the seizing agency in which case they notify DEA and turn over to DEA all persons and contraband while retaining any seized conveyances.

The DEA agent notified by Customs following a seizure queries the Narcotics and Dangerous Drugs Information System (NADDIS) to determine whether the seized subject is or is not in the DEA investigative reporting system. If the subject is in the NADDIS data base, a further determination is made to ascertain whether subject is involved in an OCDETF case. All OCDETF cases in which DEA participates are identified by the letter "Z" in the case number. All OCDETF cases in which the FBI participates are identified by the designator "245" in the case number.

If the case carries a "Z" or "245" designator, the querying DEA agent notifies the DEA agency coordinator in the appropriate OCDETF core city. Further if the case is not a DEA case, i.e., a "Z" case, the DEA agency coordinator in the OCDETF core city notifies the appropriate core city agency coordinator. In addition, if the case carries a "Z" or "245" designator, the querying DEA agent notifies the United States Attorney (USA) who normally would have jurisdiction, that the case is an OCDETF case and requests that he, the USA, notify the cognizant USA core city coordinator. If the case does not carry a "Z" or "245" designator, or is not in the NADDIS data base, the querying DEA agency notifies the USA with jurisdiction who then follows established procedures.

Most of these cases are prosecuted federally; some are or have been prosecuted by local authorities. For example, in San Diego, every marijuana seizure at the port of entry exceeding one pound is referred to my office for prosecution. Every seizure of a measurable quantity of heroin and cocaine is referred for prosecution. In some other locations, cases are referred to local authorities for prosecution. Accordingly, in my opinion, the GAO report is not accurate for the Southwest.

Question. What are your perceptions about the drug trafficking patterns, means of smuggling contraband, and the seriousness of the drug threat to the Southwest? And give us your specific recommendations for improving interdiction, intelligence, and prosecutorial resources from southern California to Brownsville?

Answer. Drugs are smuggled into the Southwest by various means, including airplanes, boats, vehicles, and pedestrians. The most common method used to be to drive or walk the contraband across the border, usually at a port of entry. We have sacrificed our ability and willingness to conduct thorough and effective inspections of people and vehicles entering the United States in order to "keep the traffic moving." Our priority at the border is not interdiction; it is commerce.

Air and marine smuggling is a much more difficult thing to attack. However, the Vice President's National Narcotics Border Interdiction System (NNBIS) will provide badly-needed resources and sophistication to attack this problem all along the Mexican border. The Vice President's interdiction effort, coupled with the Organized Crime Drug Task Forces, will substantially improve our success rate across the board.

Question. How is the Southwest Drug Interdiction Task Force organized? How many agents do you have and from what agencies? How many attorneys? How is the Task Force managed? Are you comfortable with the coordination among agencies? I am particularly interested in the degree of coordination between the agents and the United States Attorneys. Could you describe the relationship?

Answer. The United States Attorneys are not directly involved in the National Narcotics Border Interdiction System Region in Long Beach. I assume that the question relates to the Organized Crime Drug Task Force.

As indicated earlier, the Southwest Border Region Drug Task Force consists of New Mexico, Arizona, and Southern California. San Diego is the "core city" for the Task Force, meaning that it coordinates the efforts of all the districts and reports administratively to the Associate Attorney General in Washington. The following chart lists the number of new resources added for the Task Force.

	AUSA's	FBI	DEA	IRS	Customs	ATF	USMS
Southern District of California.....	7	13	12	6	10	5	1
Arizona.....	3	6	7	3	2	0	0
New Mexico.....	1	3	3	1	0	0	0

Each District develops its own cases, which must meet a rigid set of Drug Task Force guidelines. All cases must be approved by the Core City agency coordinators, to assure overall coordination and quality control. Each case is worked jointly by the investigators and prosecutors from the point of acceptance to conclusion. Coordination between investigators and prosecutors is essential and seems to work well. Interagency cooperation and coordination is facilitated by the task force concept and organization. For example, if DEA needs assistance from IRS or Customs, that assistance is arranged through the agency task force coordinators. Each case is worked by the combination of agencies most suited to that particular case. Flexibility is a hallmark of the system.

REMARKS OF APPRECIATION TO WITNESSES

Senator DECONCINI. I know I have some for the Customs witnesses, and we will have ample time to have those. I want to thank the Senator from Florida for being here, the Senator from California, the Congressman from Oklahoma, and Congressman McNulty for taking up their time in recess to focus on the Southwest, and I think Senator Hawkins puts in very well. We're interested in closing that door, that gap, clear across the southern border. Hopefully, some day the entire border of the United States will be shut down to the drug smuggler.

We don't want to emphasize and move assets from one place to another, creating a void or vacuum, but I think we've made a good record here, and it will help us convince the administration to even proceed with more force and come forward with even a more expanded program.

I certainly hope so.

And I think we will have a record here that will be available for the Members of Congress to review and find some support in voting for additional assets here.

My appreciation again to the mayor and city council of Phoenix, Phoenix Police Department and all the witnesses who participated.

CONCLUSION OF HEARING

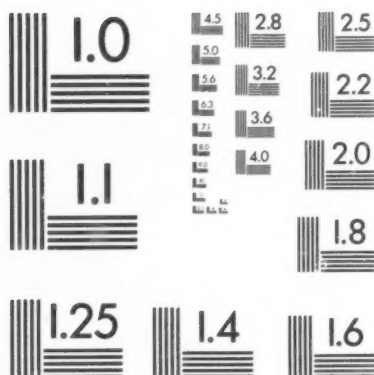
The subcommittee will stand in recess subject to the call by the Chairman.

[Whereupon, on Saturday, September 10, the hearing held in Phoenix, Ariz., was concluded and the subcommittee was recessed to reconvene at the call of the subcommittee chairman.]

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